

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

15th January, 2025

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room, City Hall and remotely, via Microsoft Teams, on Tuesday, 21st January, 2025 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. **Routine Matters**
 - (a) Apologies
 - (b) Minutes
 - (c) Declarations of Interest
2. **Committee Site Visit**
3. **Notifications of Abandonment and Extinguishment**
 - (a) Notifications from Statutory Bodies - 24 Summerhill Drive and Hopewell Crescent (Pages 1 - 16)
4. **Planning Appeals Notified (Pages 17 - 18)**
5. **Planning Decisions Issued (Pages 19 - 36)**
6. **Live applications for Major Development (Pages 37 - 40)**

7. **Committee Decisions yet to issue (Pages 41 - 48)**

8. **Miscellaneous Reports**

- (a) Proposed adoption of SPG on Purpose Built and Managed Student Accommodation (PBMSA) including report on Public Consultation of Draft SPG for notation (Pages 49 - 116)
- (b) Advanced Notice of Listed Buildings - Ardleeven 180 Upper Malone Rd; Ardleeven 178 Upper Malone Rd; 17 Notting Hill; 2 Malone Hill Park; and 6 Malone Hill Park (Pages 117 - 128)
- (c) NIW Delegated Applications Report (Pages 129 - 134)
- (d) **LA04/2021/1808/F** - Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works. - Lands South and East of 148-163 Lagmore View Lane North and West of 37, 81, 82 and 112 Lagmore Glen and Lagmore View Road, Belfast. Proposed amendment to tenure of affordable housing. (Pages 135 - 162)
- (e) Public Local Inquiry for the Dalradian Gold Application

9. **Planning Applications previously considered**

- (a) **LA04/2022/2103/F** - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. - 1 and 2 Duncrue Pass (Pages 163 - 186)
- (b) **LA04/2024/1744/LBC** - Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall - Belfast City Hall, 2 Donegall Square North (Pages 187 - 196)
- (c) **LA04/2024/1623/F** - Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis) - 49 Woodcot Avenue (Pages 197 - 212)

10. **New Planning Applications**

- (a) **LA04/2024/0714/F** - Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. - Units 2A and 2B at 38 Boucher Road (Pages 213 - 226)

- (b) **LA04/2024/0754/F** - Retrospective application for the construction of a landscaped earth mound, new fencing, and the reconfiguration of internal access arrangements and car parking associated with film studios granted under planning permission ref: LA04/2020/0474/F (as amended under LA04/2021/1358/F). (Amended description and plans) - Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known at North Foreshore/Giants Park) (Pages 227 - 236)
- (c) **LA04/2024/0966/F** - Retrospective: Change of use from 3-bedroom residential dwelling (C1) to short-term let (Sui Generis). Amended Plans and Description. - 28 Dunvegan Street (Pages 237 - 246)

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| | |
|---------------------------|---|
| Subject: | Notifications from statutory bodies |
| Date: | 21 st January 2025 |
| Reporting Officer: | Kate Bentley, Director of Planning & Building Control |
| Contact Officer: | Dermot O’Kane, Acting Planning Manager (Plans & Policy) |

| | | |
|---------------------------------------|---|--|
| Is this report restricted? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

| | |
|------------|---|
| 1.0 | Purpose of Report or Summary of Main Issues |
| 1.1 | To bring to the attention of the Planning Committee two notifications received from the Northern Ireland Housing Executive (NIHE) (see Appendix 1 & 2). These notifications relate to the proposed extinguishments of Public Right of Way (PRoW) at Summerhill Drive and Hopewell Crescent, Belfast. |
| 2.0 | Recommendation |
| 2.1 | The Committee is asked to note the notification correspondence received. |
| 3.0 | Main Report |
| 3.1 | The Council has received the following notifications from NIHE: |
| 3.2 | <p>Proposed extinguishment of pathway at 24 Summerhill Drive, Belfast</p> <p>Received on 5th December 2024 this notification concerns the extinguishment of a PRoW along a pathway adjacent to No. 24 Summerhill Drive (see Appendix 1). This follows a planning approval (S/2011/0041/F) for the construction of a single storey extension to the rear and side of this property granted by the Department of the Environment Planning Service on 8th March 2011. Access to the area of open space to the rear of Nos. 10-24 Summerhill Drive remains via the pathway between Nos. 18 and 20 Summerhill Drive.</p> |
| 3.3 | <p>Proposed extinguishment of pathways at Hopewell Crescent, Belfast</p> <p>Received on 5th December this notification concerns the extinguishment of PRoW along a number of existing pathways surrounding and intersecting open space at Hopewell Crescent (see Appendix 2). This proposal relates to planning approval LA04/2019/2306/F which was granted by the Council on 16th March 2020 for a development of 46 no. social and affordable dwellings along with associated open amenity spaces and parking.</p> |
| 3.5 | In considering these notifications other services within the Council were consulted – City & Neighbourhood Services, Estates and City Regeneration & Development and no issues or concerns were raised. There is no requirement for the Council to respond to these consultations and it is recommended that the Committee notes this report. |

| | |
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| 3.6 | <u>Financial & Resource Implications</u> There are no resource implications associated with this report. |
| 3.7 | <u>Equality implications or Good Relations implications / Rural needs assessment</u> None. |
| 4.0 | Appendices – Documents Attached |
| | Appendix 1: Proposed PRow extinguishment of pathway at 24 Summerhill Drive Appendix 2: Proposed PRow extinguishment of pathways at Hopewell Crescent |

Belfast Planning Department
The Cecil Ward Building
4-10 Linenhall Street,
Belfast
BT2 8BP

H. & E. S. DEPT.
2 DEC 2024
DIRECTORATE SUPPORT

Date: 3rd of December 2024

Our Ref: Pathway at 24 Summerhill Drive Belfast Extinguishment

Dear Sirs,

Re: Extinguishment of Public Right of Way – Pathway at 24 Summerhill Drive Belfast

The Northern Ireland Housing Executive made an Order No 1 2024 on the 18th of November 2024 that certain Public Rights of Way is extinguished. Approval for the extinguishment is presently being sought from the NIHE Sponsor Team (Housing Division), Department for Communities, Housing Investment Branch, 1-7 Bedford Street, Belfast, BT2 7EG. The press notice regarding the making of this order is enclosed together with a map showing the area affected and a copy of the order.

If you wish to make comments, could you please let me have them by 31st of December 2024.

I shall write to you again when the result of the submission is known.

Yours faithfully,

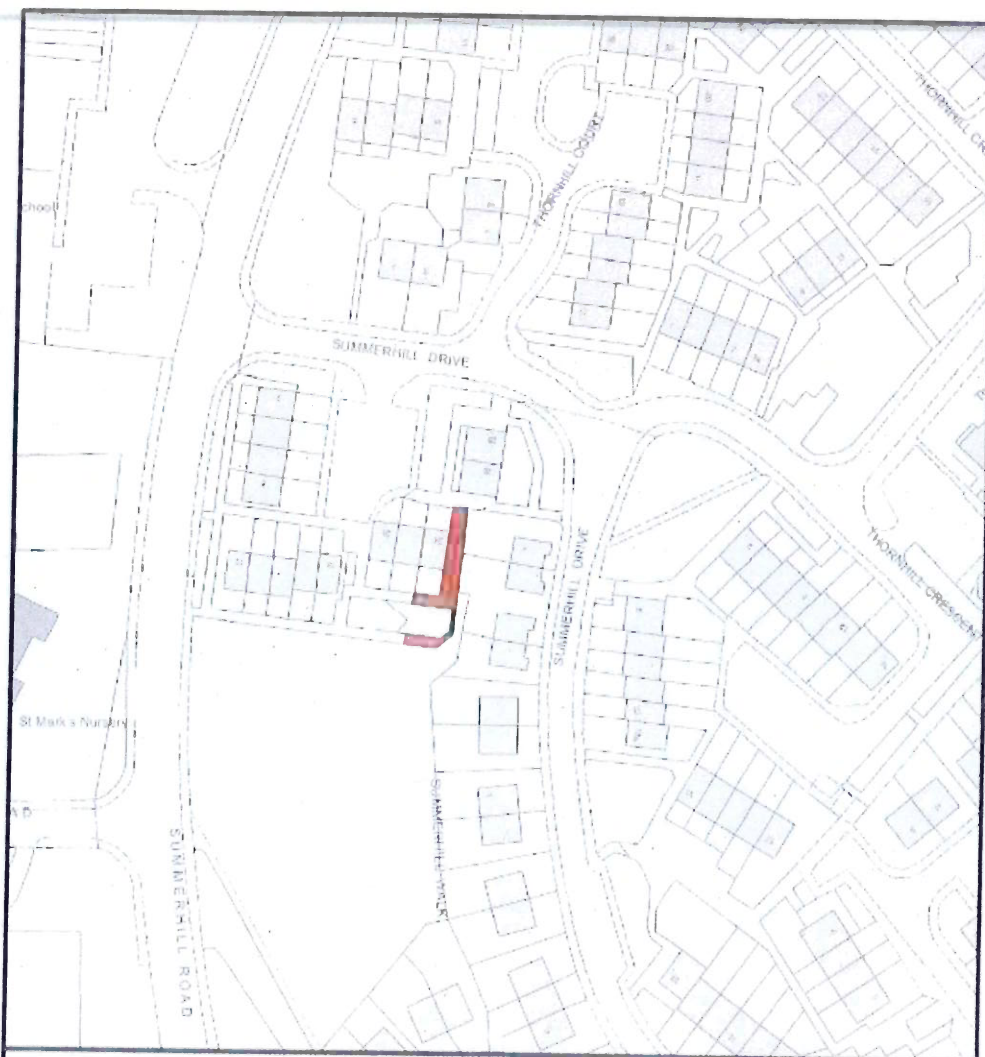


Aaron Maguire
Place Shaping NIHE
Belfast Area

Email: Aaron1.maguire@nihe.gov.uk

Tel: 02895984787



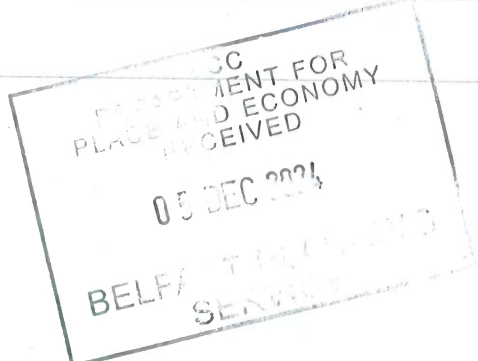


BELFAST, 24 SUMMERHILL DRIVE
Extinguishment of Public Right-of-Way
Order No. 1, 2024
Map Dated 18/11/24

NORTHERN IRELAND HOUSING EXECUTIVE,
THE HOUSING CENTRE,
2 ADELAIDE STREET 1, BELFAST, BT2 8PB

OSNI Reference: I.G. 146-15NW2
Scale: 1:1,250
Your Reference:

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**FORM OF NOTICE OF MAKING OF ORDER
THE HOUSING (NORTHERN IRELAND) ORDER 1981
EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY**

Notice is hereby given that the Northern Ireland Housing Executive having its principal office at 2 Adelaide Street, Belfast, BT2 8PB in pursuance of its powers under Article 88D of the Housing (Northern Ireland) Order 1981 on 18th of November 2024 made an Order ("an extinguishment order"), which will be submitted to the Department for Communities for approval, to extinguish the public rights of way over land described in the schedule hereto.

A copy of the extinguishment order and associated map dated 18th of November 2024 referred to therein may be inspected at the South Belfast Local Office with offices at the Public Counter, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB.

The Housing (Northern Ireland) Order 1981 provides that an extinguishment order shall not have effect until approved by the Department and that an extinguishment order to which any objection is made and not withdrawn shall not be approved in circumstances where the Department exercises its discretion to cause a public local inquiry to be held to hear objections to the extinguishment order.

Objections to the extinguishment order must be made in writing stating the grounds for objection and addressed to NIHE Sponsor Team (Housing Division), Department for Communities, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG on or before 31st December 2024.

SCHEDULE

The paved area at the Pathway at 24 Summerhill Drive Belfast -
Extinguishment of Public Rights of Way Order No1 2024

The site is described as hard core paved area Hard core bitmac alleyway located 24 Summerhill Drive Belfast between 24 Summerhill Drive and the rear of 2 Summerhill Drive Belfast Rectangular in shape, approximately 18 metres in length and 3.5 metres in width.

DATED THIS – 3rd of December 2024

Grainia Long
Chief Executive
Northern Ireland Housing Executive
2 Adelaide Street
Belfast BT2 8PB



EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY

FORM OF ENGROSSMENTS OF ORDER

THE HOUSING (NORTHERN IRELAND) ORDER 1981

Whereas the Northern Ireland Housing Executive whose principal office is at 2 Adelaide Street, Belfast, BT2 8PB (hereinafter called "the Housing Executive") having acquired certain lands in connection with the paving area at the rear of 24 Summerhill Drive Belfast has by a resolution passed on 18th of November 2024 made an order (an "extinguishment order") to extinguish the public rights of way hereinafter referred to over the said lands shown marked on the map at the pathway at 24 Summerhill Drive Belfast Order No.1 2024 and sealed with the common seal of the Northern Ireland Housing Executive and deposited at the South/East Belfast Local Offices at the Public counter, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB.

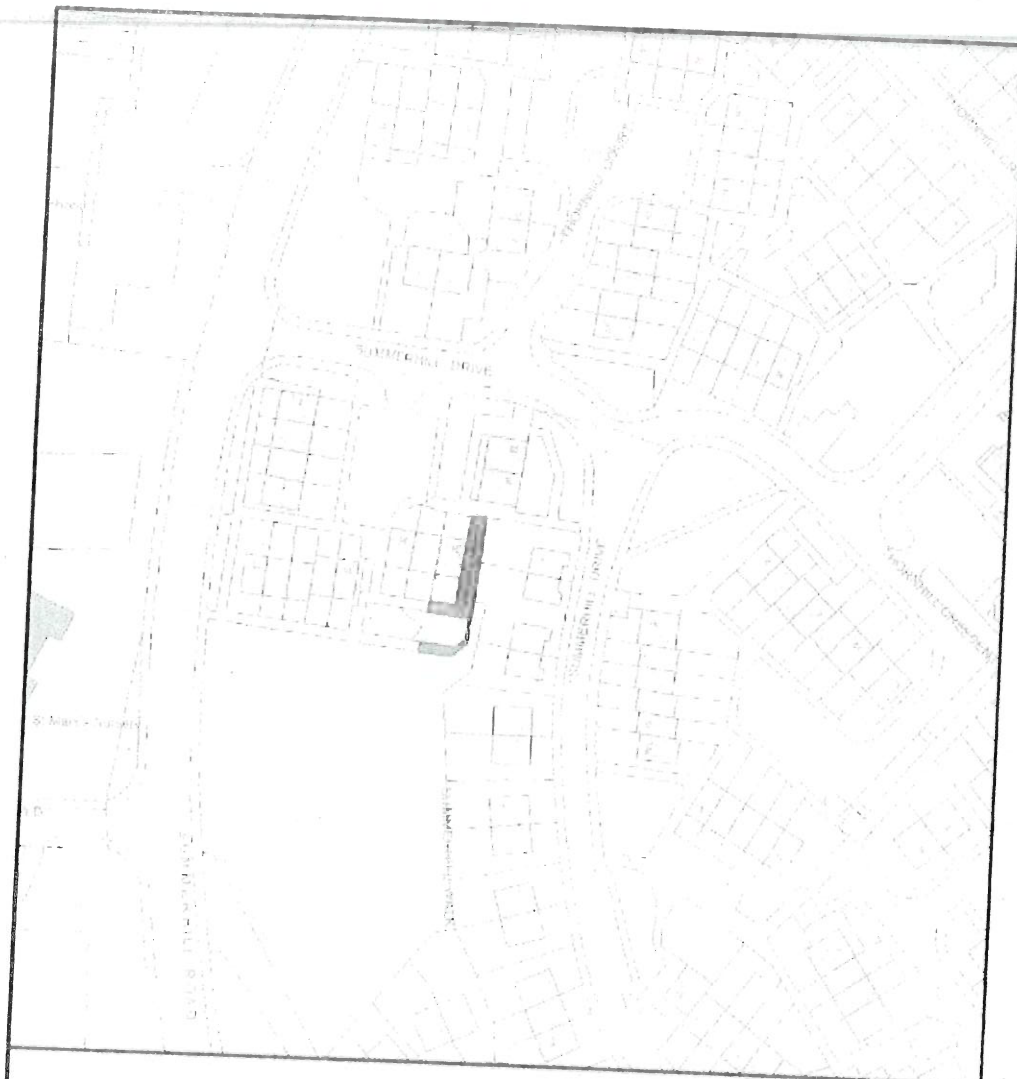
NOW THEREFORE the Housing Executive in pursuance of its powers under Article 88D of the Housing (Northern Ireland) Order 1981 and all other powers so enabling HEREBY orders as follows:

1. This extinguishment order may be cited as "pathway at 24 Summerhill Drive Belfast Order No.1 2024."
2. The public rights of way described in the schedule and shown coloured red and outlined black on the said map shall cease and be extinguished as from the date of operation of the extinguishment order subject to the retention of all existing cables wires, mains pipes or other apparatus placed by an electricity undertaker along, across, over or under the lands hereby transferred shall be retained. All existing rights of the electricity undertaker as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

SCHEDULE

The paved area at the Pathway at 24 Summerhill Drive Belfast - Extinguishment of Public Rights of Way Order No1 2024

The site is described as hard core paved area Hard core bitmac alleyway located 24 Summerhill Drive Belfast between 24 Summerhill Drive and the rear of 2 Summerhill Drive Belfast mainly rectangular in shape, and loops down and around the NIHE grassed area to the rear of 24 Summerhill Drive approximately 18 metres in length and 3.5 metres in width.



BELFAST, 24 SUMMERHILL DRIVE
Extinguishment of Public Right-of-Way
Order No. 1, 2024
Map Dated 18/11/24

NORTHERN IRELAND HOUSING EXECUTIVE,
THE HOUSING CENTRE,
2 ADELAIDE STREET, BELFAST, BT2 8PB

OSNI Reference, LG, 146-15NW2

Scale, 1:1,250

Your Reference,

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Conor McLeod
Devo-Meggin
Kiernan College

239365

GIVEN UNDER THE COMMON SEAL OF THE
NORTHERN IRELAND HOUSING EXECUTIVE
THIS – 18th November 2024

Conor McConville
Authorised Officer

Aileen Maguire

Keen Callaghan
Officers of the Northern
Ireland Housing Executive

Belfast Planning Department
The Cecil Ward Building
4-10 Linenhall Street,
Belfast
BT2 8BP

Date: 3rd of December 2024

Our Ref: Hopewell Crescent Extinguishment

Dear Sirs,

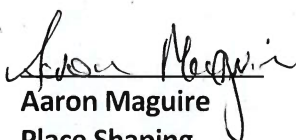
Re: Extinguishment of Public Right of Way –Pathways at Hopewell Crescent Belfast Extinguishment order

The Northern Ireland Housing Executive made an Order No 1 on 18th of November 2024 that certain Public Rights of Way is extinguished. Approval for the extinguishment is presently being sought from the NIHE Sponsor Team (Housing Division), Department for Communities, Housing Investment Branch, 1-7 Bedford Street, Belfast, BT2 7EG. The press notice regarding the making of this order is enclosed together with a map showing the area affected and a copy of the order.

If you wish to make comments, could you please let me have them by 31st of December 2024.

I shall write to you again when the result of the submission is known.

Yours faithfully,


Aaron Maguire

Place Shaping

Belfast Area

The Housing Centre

2 Adelaide Street

Email: Placeshaping.belfast@nihe.gov.uk

Phone: 028 959 84787



**FORM OF NOTICE OF MAKING OF ORDER
THE HOUSING (NORTHERN IRELAND) ORDER 1981
EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY**

Notice is hereby given that the Northern Ireland Housing Executive having its principal office at 2 Adelaide Street, Belfast, BT2 8PB in pursuance of its powers under Article 88D of the Housing (Northern Ireland) Order 1981 on 18th of November 2024 made an Order ("an extinguishment order"), which will be submitted to the Department for Communities for approval, to extinguish the public rights of way over land described in the schedule hereto.

A copy of the extinguishment order and associated map dated 18th of November 2024 referred to therein may be inspected at the West Belfast Local Office with offices at the Public Counter, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB.

The Housing (Northern Ireland) Order 1981 provides that an extinguishment order shall not have effect until approved by the Department and that an extinguishment order to which any objection is made and not withdrawn shall not be approved in circumstances where the Department exercises its discretion to cause a public local inquiry to be held to hear objections to the extinguishment order.

Objections to the extinguishment order must be made in writing stating the grounds for objection and addressed to NIHE Sponsor Team (Housing Division), Department for Communities, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG on or before 31st of December 2024.

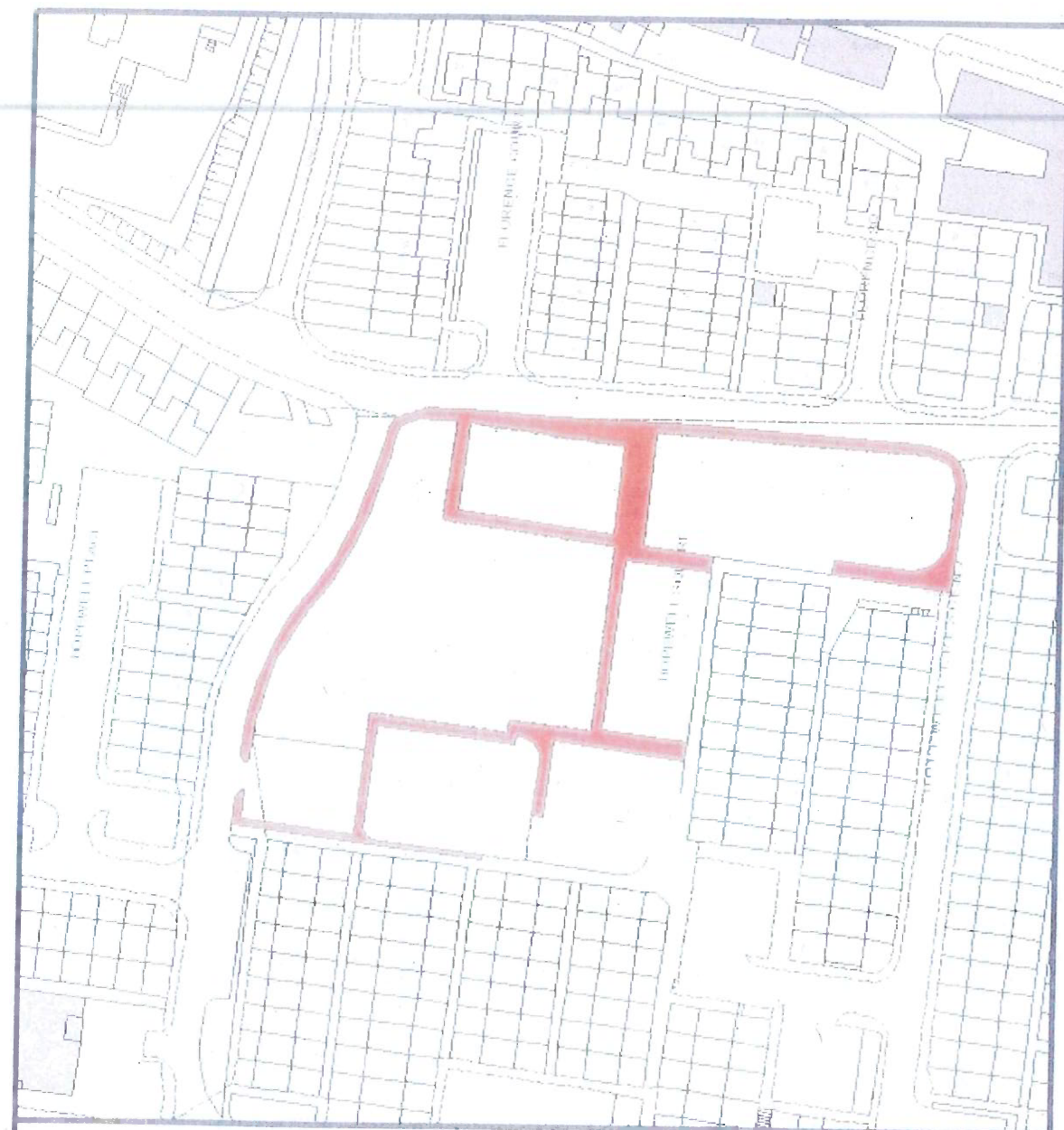
SCHEDULE

The pathways at Hopewell Crescent Belfast - Extinguishment of Public Rights of Way Order No1 2024

Site located to south and east of Hopewell Avenue, adjacent to Hopewell Square with Hopewell Place to the west and Florence Court/Walk and Square to the north; total site area approx. 0.87 ha. Comprised of a number of hardcore and maintained grassed areas linked by existing pathways; a community garden is located to the centre of the site. Two car parking areas; a 25x16m plot to the west, a 30x15m plot to the east – both hardcore. There is a network of pathways located to the north, east and west of the site running along Hopewell Avenue; these are for the most part between 2m and 2.5m wide. There is also some 2m pathways running across the site, bisecting the maintained grassed areas, and around the community garden – again circa 2m width. The central formal fenced Community Garden (to be removed and partially relocated under redevelopment) is a square plot measuring approximately 37 x 38m.

DATED THIS –3rd of December 2024

Grainia Long
Chief Executive
Northern Ireland Housing Executive
2 Adelaide Street
Belfast BT2 8PB

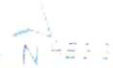
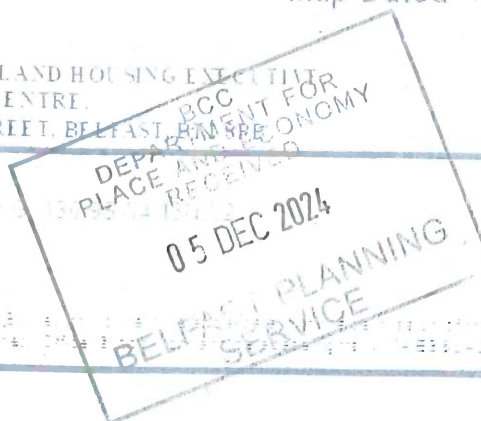


BELFAST, HOPEWELL CRESCENT
Extinguishment of Public Right-of-Way
Order No. 1, 2024
Map Dated 18/11/2024

NORTHERN IRELAND HOUSING EXECUTIVE
 THE HOUSING CENTRE
 2 ADELAIDE STREET, BELFAST

OSM Reference: 13
 Scale: 1:1250
 Your Reference:

Base Map: Ordnance Survey, 1:1250
 Date: 18/11/2024
 Drawn: 18/11/2024
 Checked: 18/11/2024
 Approved: 18/11/2024



EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY

FORM OF ENGROSSMENTS OF ORDER

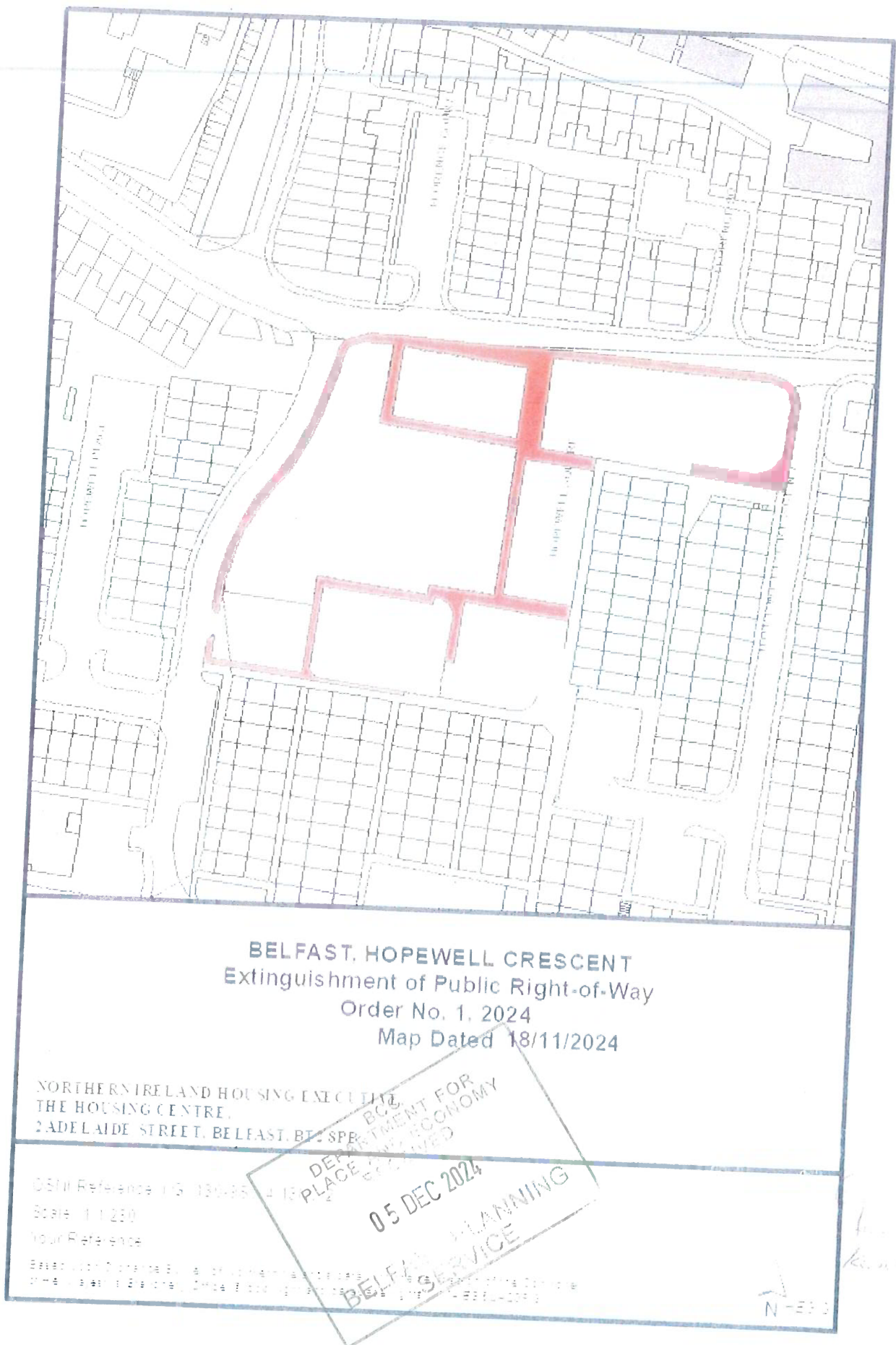
THE HOUSING (NORTHERN IRELAND) ORDER 1981

Whereas the Northern Ireland Housing Executive whose principal office is at 2 Adelaide Street, Belfast, BT2 8PB (hereinafter called "the Housing Executive") having acquired certain lands in connection with the pathways at Hopewell Crescent Belfast, has by a resolution passed on 18th of November 2024 made an order (an "extinguishment order") to extinguish the public rights of way hereinafter referred to over the said lands shown marked on the map at the pathways at Hopewell Crescent Belfast Order No.1 2024 and sealed with the common seal of the Northern Ireland Housing Executive and deposited at the West Belfast Local Offices at the Public counter, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB.

NOW THEREFORE the Housing Executive in pursuance of its powers under Article 88D of the Housing (Northern Ireland) Order 1981 and all other powers so enabling HEREBY orders as follows:

1. This extinguishment order may be cited as "The pathways at Hopewell Crescent Belfast Order No.1 2024."
2. The public rights of way described in the schedule and shown coloured red and outlined black on the said map shall cease and be extinguished as from the date of operation of the extinguishment order subject to the retention of all existing cables wires, mains pipes or other apparatus placed by an electricity undertaker along, across, over or under the lands hereby transferred shall be retained. All existing rights of the electricity undertaker as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.





SCHEDULE

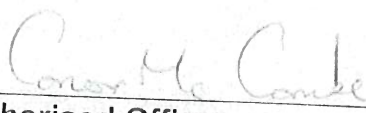
The pathways at Hopewell Crescent Belfast - Extinguishment of Public Rights of Way Order No1 2024

Site located to south and east of Hopewell Avenue, adjacent to Hopewell Square with Hopewell Place to the west and Florence Court/Walk and Square to the north; total site area approx. 0.87 ha. Comprised of a number of hardcore and maintained grassed areas linked by existing pathways; a community garden is located to the centre of the site. Two car parking areas; a 25x16m plot to the west, a 30x15m plot to the east – both hardcore. There is a network of pathways located to the north, east and west of the site running along Hopewell Avenue; these are for the most part between 2m and 2.5m wide. There is also some 2m pathways running across the site, bisecting the maintained grassed areas, and around the community garden – again circa 2m width. The central formal fenced Community Garden (to be removed and partially relocated under redevelopment) is a square plot measuring approximately 37 x 38m.

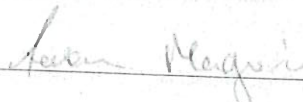
Dated this – 18th of November 2024

GIVEN UNDER THE COMMON SEAL OF THE
NORTHERN IRELAND HOUSING EXECUTIVE
THIS – 18th of November 2024

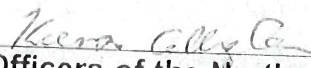
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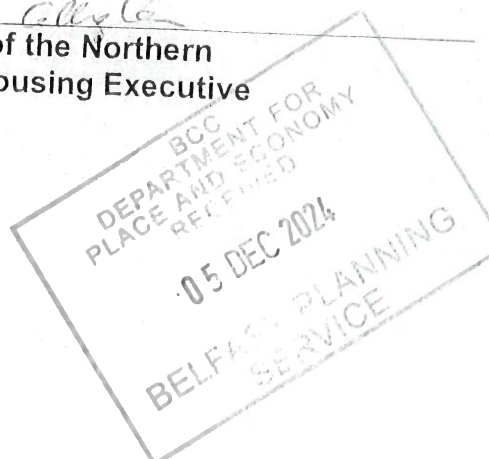
Authorised Officer



Officer of the Northern
Ireland Housing Executive



Officers of the Northern
Ireland Housing Executive



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PLANNING COMMITTEE – 21 JANUARY 2025

APPEALS NOTIFIED

COUNCIL: BELFAST

| | | | |
|---------------|--|---------|------------|
| ITEM NO | 1 | PAC REF | 2024/A0087 |
| PLANNING REF: | LA04/2024/1139/A | | |
| APPLICANT: | Martin Heatley | | |
| LOCATION: | Rear of 88 Great Victoria Street, Belfast, adjacent to Bruce Street car park, Belfast, BT2 7JD | | |
| PROPOSAL: | 1 Digital Advertising Sign (Retention) | | |
| PROCEDURE: | | | |

| | | | |
|---------------|--|---------|------------|
| ITEM NO | 2 | PAC REF | 2024/A0101 |
| PLANNING REF: | LA04/2024/0214/F | | |
| APPLICANT: | Rajith Atapattu | | |
| LOCATION: | 5 Ashburne Place, Belfast, BT7 1SE | | |
| PROPOSAL: | Retrospective application for material change of use from C1 (Residential) to Short Term Let (Sui Generis) | | |
| PROCEDURE: | | | |

APPEAL DECISIONS NOTIFIED

| | | | |
|-------------------|--|----------|------------|
| ITEM NO | 1 | PAC REF: | 2022/A0094 |
| PLANNING REF: | LA04/2021/0777/F | | |
| RESULT OF APPEAL: | ALLOWED | | |
| APPLICANT: | Hutchinson 3G UK Ltd | | |
| LOCATION: | Pavement on Ann Street adjacent to Musgrave Police Station, Belfast, BT1 4JE | | |
| PROPOSAL: | Proposed installation of a 15m phase 8 monopole c/w wrap around cabinet at base and associated ancillary works (amended description) | | |

APPEAL DECISIONS NOTIFIED 21 JANUARY 2025 (CONTINUED)

| | | | |
|-------------------|---|----------|------------|
| ITEM NO | 2 | PAC REF: | 2024/E0030 |
| PLANNING REF: | LA04/2022/0415/CA | | |
| RESULT OF APPEAL: | WITHDRAWN | | |
| APPLICANT: | Mr Conor Farnan Mrs Shirley Farnan | | |
| LOCATION: | Land at 79 Melrose Street, Belfast, BT9 7DP | | |
| PROPOSAL: | The alleged unauthorised change of use from Class C1: Dwelling house to No class specified: short term let accommodation | | |

Decisions issued December 2024 - No 131

| <u>Application number</u> | <u>Delegated / Committee</u> | <u>Location</u> | <u>Proposal</u> | <u>Decision</u> |
|---------------------------|------------------------------|---|---|--------------------|
| LA04/2020/0568/F | C | 21 Queen Street Belfast BT1 6EA. | Demolition of building and structures at rear, refurbishment and alteration of frontage building and erection of 9 storey extension to rear to form hotel (74 bedrooms) with associated restaurant, bar & ancillary facilities and works (amended description). | Permission Granted |
| LA04/2021/0502/F | D | 431-441 Newtownards Road Belfast Co.Antrim BT4 1PG | Change of use for upper floors of the former Ulster Bank building at 431-441 Newtownards Road Belfast, from current use class chartered surveyors/engineer's premises (Class B1 Use) into 7 apartments (Class C1 use) 5no 1 bed & 2 no 2-bed and extension to roof. | Permission Granted |
| LA04/2021/2687/F | C | 3 Milner Street Belfast BT12 6GE. | Residential development for 87 no. apartments (1 no. and 2 no. bedroom) of which 18no. units are affordable housing, internal car park, landscaped gardens/ terraces and all associated site works. | Permission Granted |

| | | | | |
|--------------------|---|--|--|----------------------|
| LA04/2022/0345/DC | C | Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast. | Discharge of Condition No. 45 of LA04/2020/0804/F. | Condition Discharged |
| LA04/2022/1860/A | C | 1-3 Arthur Street Belfast BT1 4GA. | Active facade to facilitate the display of LED internally illuminated moving images (Temporary consent for 5 years) | Consent Granted |
| LA04/2020/0569/LBC | C | 21 Queen Street Belfast. | Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description). | Consent Granted |
| LA04/2020/2607/F | C | Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP. | Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex (previously approved under Y/2014/0401/F and Y/2014/0390/LBC). | Permission Granted |

| | | | | |
|--------------------|---|---|---|--------------------|
| LA04/2021/0501/LBC | D | 431-441 Newtownards Road Belfast Co.Antrim BT4 1PG | Change of use for upper floors from current use as chartered surveyors/engineer's premises (Class B1 Use) into 7 no apartments (Class C1 use) 5no 1-bed and 2no 2-bed and extension to roof. | Consent Granted |
| LA04/2022/0372/F | D | 45 Malone Park Belfast BT9 6NL. | Refurbishment and reinstatement of existing dwelling with two storey and single storey rear extensions with raised patio. Reconstruction of roof, chimneys and front bay window. Erection of dormers and external alterations to elevations. Construction of one and half storey garage to rear and covered seating area to side along with associated landscaping and site works. (Amended Scheme) | Permission Granted |
| LA04/2022/0373/DCA | D | 45 Malone Park Belfast BT9 6NL. | Partial demolition of side/rear walls to facilitate openings/ extension. (Amended Scheme) | Consent Granted |
| LA04/2022/0953/F | D | 3 Alexander Road Belfast BT6 9HP | Retrospective change of use from commercial building to plant hire business with new access. 4.3m Acoustic screen along side and rear boundary. | Permission Granted |
| LA04/2022/1861/F | C | 1-3 Arthur Street Belfast BT1 4GA. | Replacement facade to active facade to facilitate the display of internally illuminated moving images (Temporary Permission for 3 years) | Permission Granted |

| | | | | |
|----------------------|---|---|--|--------------------------|
| LA04/2022/1867/DCA | C | 1-3 Arthur Street Belfast BT1 4GA. | Part demolition of facade to facilitate replacement facade. | Consent Granted |
| LA04/2022/2155/DC | D | Land adjacent to former Ford Visteon Plant Finaghy Road North Belfast BT11 | Discharge of condition 4 - Z/2013/0120/F | Condition Not Discharged |
| LA04/2022/2198/F | D | Ground Floor Studio 1, Strand Studios, 150 Holywood Road, Belfast, BT4 1NY. | Change of use from Office Accommodation (Class B1) to a Class D1 Community and Cultural Uses. (retrospective) | Permission Granted |
| LA04/2022/2322/F | D | Lands adjacent to 6 & 7 Tyndale Crescent/ South and rear of 60 - 66 Clareglen Old Park Belfast BT14 8GZ | Erection of 3 housing units including 1 detached dormer bungalow and two semi-detached 2 storey dwellings (amended site layout) | Permission Granted |
| LA04/2023/3415/F | D | South of 64 Knocknagoney Road, Belfast, BT4 2FY | Construction of 3no. apartments with associated car parking and landscaping. | Permission Granted |
| LA04/2023/3951/CLEUD | D | 101 Malone Road, Belfast, BT9 6SP | The property is a former mid terrace dwelling which has been converted into a HMO. The applicants HMO licence has only recently expired. | Permitted Development |
| LA04/2023/4113/PAD | D | 39 Corporation Street, Belfast, BT1 2LU | Erection of Purpose Built Student Accommodation (PBSA) development comprising approx. 900 units with communal facilities, internal and external communal amenity space, and ancillary accommodation. | PAD Concluded |

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| LA04/2023/4240/F | D | 84-94 Great Patrick Street, Belfast, BT1 2LU | Change of use on ground floor from Art Gallery to eye clinic. Change of use on first floor from offices to eye clinic surgery with extension to rear. Elevational changes and ancillary works including lift provision and escape stairs. | Permission Granted |
| LA04/2023/4492/F | D | 31 Holland Gardens, Ballyhackamore, Belfast, BT5 6EG | Two-storey side and rear extension and single storey rear extension. (Amended proposal description & Amended Plans) | Permission Granted |
| LA04/2023/4570/F | D | 51 Lansdowne Park, Belfast, BT15 4AG | Partial demolition of rear wall to facilitate single storey extension with raised patio (Amended proposal description & revised plans) | Permission Granted |
| LA04/2024/0312/F | D | 30 Credenhill Park, Belfast, BT17 0ES | Erection of two storey building to the rear of existing dwelling to provide ancillary living accommodation (Amended description). | Permission Granted |
| LA04/2024/0373/A | D | 17-21 Bruce Street, Belfast, BT2 7JD | Two Illuminated shop signs. | Consent Granted |
| LA04/2024/0649/F | D | 37 Osborne Drive, Belfast, BT9 6LH | Two storey and side and rear Extension. Single storey side extension, Rear patio area and pergola. Raising roof to existing side garage. Demolition of side garage and, chinneys and part of rear elevation (Amended description) | Permission Granted |

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| LA04/2024/0681/F | C | Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College, Belfast. | Erection of Purpose-Built Managed Student Accommodation development with additional use of accommodation by further or higher education institutions outside term time, comprising 4 no. blocks of accommodation with building heights ranging from 5 to 9 storeys and up to 35,850sqm gross external floorspace, café, associated communal facilities including landscaped courtyards, internal bin stores and cycle stores, pv array, disabled parking, public realm provision, associated site works and extension of Titanic Boulevard to form new junction with Hamilton Road. | Permission Granted |
| LA04/2024/0719/F | D | Apartment 1, 123 The Mount, Belfast, BT5 4ND | Retention of change of use from apartment to short term let accommodation. | Permission Granted |
| LA04/2024/0664/F | C | Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street, Belfast, BT2 7BE | Demolition of the existing buildings on the site and construction of a new Purpose Built Managed Student Accommodation development across 4 blocks of 6 to 18 stories in height, comprising of 560 student rooms, including landscaped roof terraces, associated amenity, site and access works | Permission Granted |
| LA04/2024/1218/F | D | 2a Clondara Street, Belfast, BT12 6ER | Conversion of a 3-Bed Duplex Apartment to a 2-Bed Apartment and a 1-Bed Apartment | Permission Granted |

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| LA04/2024/0704/F | D | 49 Malone Park, Belfast, BT9 6NN | Single storey rear extension, side canopy, Photovoltaic (PV) panels, new window and parapet on existing side elevation, like for like replacement of windows and doors on all elevations (Amended Proposal Description) | Permission Granted |
| LA04/2024/0705/DCA | D | 49 Malone Park, Belfast, BT9 6NN | Demolition of existing rear conservatory, window and door openings, window frames, and internal refurbishment to the existing dwelling | Consent Granted |
| LA04/2024/0755/F | C | Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known as North Foreshore/Giants Park), Belfast. | Retrospective application for extension to film studio for switch room/dimmer array building with associated external plant deck, installation of a new sliding access gate and reconfiguration of internal access arrangements on site. | Permission Granted |
| LA04/2024/0885/DC | D | Lands on McClure St to include land south of railway and north of 38-52 Cromwell Rd, BELFAST, BT7 1SH | Discharge of conditions 5 and 6 LA04/2021/2829/F: Remediation / Verification Report | Condition Discharged |
| LA04/2024/0844/F | D | 35 St Judes Crescent, Belfast, BT7 2GW | Single storey rear extension and a double height volume glazed rear extension. | Permission Granted |
| LA04/2024/0880/F | D | Public Footpath 16 metres North East of Bedford Square, 1 Bedford Street, Belfast BT2 7ES. | Temporary permission for two bus shelters due to ongoing construction of the Belfast Transport Hub. | Permission Refused |
| LA04/2024/0902/DCA | D | 37 Osborne Drive, Belfast, BT9 6LH | Demolition of existing single storey garage, 2no chimneys and rear porch | Consent Granted |

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| LA04/2024/0934/F | D | 92 Circular Road, Belfast, BT4 2GE | Demolition to sections of dwelling to facilitate single storey rear extension + front porch extensions. Alterations to fabric and fenestration of dwelling to include new openings, rendering and single storey car port. Attic conversion, landscaping, and associated site works. (Amended Plans & Description). | Permission Granted |
| LA04/2024/1189/F | D | 152-154 Hollywood Road, Belfast, BT4 1NY | Replacement of entrance canopy, new awning, photovoltaic panels on roof, insertion of new windows, elevation changes and associated site works. | Permission Granted |
| LA04/2024/0952/F | D | 6 Downview Avenue, Belfast, BT15 4EZ. | Two-storey front extension with alterations to the existing facade and two Velux rooflights (front and rear) and front entrance gate | Permission Granted |
| LA04/2024/1010/NMC | D | 9 Lakeside Drive, Belfast, BT10 0NU | Reduction in the size of the rear extension, relocation of the sliding door from the approved extension to the existing rear elevation, repositioning of a window on the South East elevation, addition of a new window on the North West elevation, and removal of the canopy over the terrace. All other elements of the original proposal remain unchanged. | Non Material Change Granted |

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| LA04/2024/1020/F | C | 6 Paxton Street, Belfast, BT5 4NU | Proposed change of use from dwelling (C1) to 3-Bedroom HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front. | Permission Refused |
| LA04/2024/1019/F | D | 19 Church Avenue, Dunmurry, Belfast, BT17 9RS | Partial demolition to rear and side to facilitate two-storey rear and side extension and to accommodate new side entrance. | Permission Granted |
| LA04/2024/1025/F | D | 59 Castlereagh Street, Belfast, BT5 4NF | Conversion of existing dwelling to a 5-bed HMO | Permission Granted |
| LA04/2024/1066/F | D | 76 Monagh Drive Ballymurphy Belfast BT11 8EE | Single storey and 2 storey rear extension and rear dormer window (amended description) | Permission Granted |
| LA04/2024/1046/F | C | Duncrue Complex, Duncrue Road, Belfast BT3 9BP | Erection of a store to be used as a workshop for Eurobins. | Permission Granted |
| LA04/2024/1077/F | D | Wyse Byse, 29-35 Cregagh Rd, Belfast BT6 8PX | The removal of 3no. existing 4.5m wall mounted poles and replacement with 3no. proposed 6.0m tripods. The removal of 6no. existing antennas to be replaced with 6no. proposed antennas onto new tripods. The relocation of 1no. gps module, and the installation of 1no. proposed gps module. The installation of 2no. proposed dishes onto new antenna support pole, and all ancillary works therein. | Permission Granted |
| LA04/2024/1083/F | D | 26 Trigo Parade, Belfast, BT6 9GA | 2 Storey extension to rear of dwelling and erection of outbuilding to rear garden | Permission Granted |

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| LA04/2024/1091/F | D | 14 Flora Street, Belfast, BT5 4SN | Demolition of existing vacant builders warehouse. Erection of new photography studio. In substitution for that previously approved under LA04/2019/1784/F. | Permission Granted |
| LA04/2024/1131/A | D | Ulster University Belfast Campus. Blocks BC and BD 2-24 York Street Belfast. | 3 Other - Building logo signage, 2 Other - Individual Lettering signage | Consent Granted |
| LA04/2024/1176/F | D | 23 Andersonstown Road, Belfast, BT11 9AF | Provision of new extension to rear of dwelling single storey | Permission Granted |
| LA04/2024/1177/NMC | D | Springbank Industrial Estate, 2 Springbank Road, Dunmurry, Belfast, BT17 0QL | Division of Block B into 2no.smaller blocks mounting to the same floor area and same parking numbers to facilitate different needs of potential tenants and to make the blocks more viable to build in the initial investment. NMC to LA04/2022/0910/F | Non Material Change Refused |
| LA04/2024/1356/CLEUD | D | 2e The Arc, Apartment 524 Queens Road, Belfast, BT3 9FE | Existing short term let | Permitted Development |
| LA04/2024/1410/F | D | 147 Sydney Street West, Belfast, BT13 3GA | Single-storey rear extension. | Permission Granted |
| LA04/2024/1412/CLOPUD | D | 4 Willowbank Park, Belfast, BT6 0LL | Proposed single storey extension to replace existing conservatory to rear of existing dwelling. | Permitted Development |
| LA04/2024/1504/F | D | 190 Upper Knockbreda Road, Belfast, BT6 0NB | Conversion of existing garage to provide a 2 storey garage with garden room and office | Permission Granted |
| LA04/2024/1484/F | D | 34 Woodvale Avenue, Belfast, BT13 3EW | Change of use from Residential property to 4-bed House in Multiple Occupation | Permission Granted |

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| LA04/2024/1457/PAD | D | Fitzwilliam Hotel, 1-3 Great Victoria Street, Belfast, BT2 7BQ. | The proposal involves the development of an 11-storey extension to the Fitzwilliam Hotel to provide 52 no. additional bedrooms, conference facilities and a new spa experience including a swimming pool. As part of the development the ground and first floor of the existing hotel will be subject to internal reconfiguration. | PAD Concluded |
| LA04/2024/1456/F | D | Unit 1 of 48-52 York Street, Belfast, BT15 1AS | Change of use of approved ground floor retail unit (Class A1) to the sale of food and drink including consumption on premises (sui generis). | Permission Granted |
| LA04/2024/1460/F | D | 13 St Johns Avenue, Belfast, BT7 3JE | Single storey rear extension & dwelling alterations. | Permission Granted |
| LA04/2024/1490/F | D | 12 Divismore Crescent, Belfast, BT12 7LE | Proposed single storey extension to rear of dwelling, internal alterations and level access to front of dwelling. | Permission Granted |
| LA04/2024/1495/F | D | 13 Beechgrove Park, Belfast, BT6 0NQ | Two storey rear extension with new raised patio and steps down to rear garden. Associated fenestration changes, addition of juliet balcony and garden store beneath raised patio. | Permission Granted |
| LA04/2024/1506/F | D | 26a Orangefield Crescent, Belfast, BT6 9GG | Single storey extension to side and rear. | Permission Granted |
| LA04/2024/1516/F | D | Beaumont Lodge, 122A Malone Road, Belfast, BT9 5HR | Change of use from veterinary surgeons consulting rooms to a hospital staff training facility with single storey extension. | Permission Granted |

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| LA04/2024/1517/LBC | D | Beaumont Lodge, 122A Malone Road, Belfast, BT9 5HR | Change of use from veterinary surgeons consulting rooms to a hospital staff training facility with single storey extension. | Consent Granted |
| LA04/2024/1513/DC | D | Former Visteon Factory, Blacks Road Belfast - | Discharge of conditions 20+23 Z/2013/1434/F Ground Gas/Vapour Verification Report – Plots 85-92, 109, 142-154 and 178-179 787-B059864" | Condition Discharged |
| LA04/2024/1514/F | D | 17 Rosetta Road, Belfast, BT6 0LQ | Single storey extension to side and rear with fenestration changes to front and side elevation. (Amended plans) | Permission Granted |
| LA04/2024/1522/A | D | 48-52 York Street, Belfast, BT15 1AS | 2no. digital TV screens, 2no. shop signs and 1no. projecting sign | Consent Granted |
| LA04/2024/1524/F | D | 330 Ormeau Road, Belfast, BT7 2GE | Removal of existing front steps and installation of a ramp and new steps to enhance DDA access for staff and visitors. Replacement of double front doors with a single leaf door for improved accessibility | Permission Granted |
| LA04/2024/1538/F | D | 57 Lagmore Grove, Dunmurry, Belfast, BT17 0TD | Rear enclosed play area | Permission Granted |
| LA04/2024/1531/F | D | 25 Coniston Close, Belfast, BT13 1JW | Single storey rear extension | Permission Granted |
| LA04/2024/1539/F | D | All Saints College Glen Road, Andersonstown, Belfast, BT11 8BW | 1no. mobile unit with 2 teaching classrooms. | Permission Granted |
| LA04/2024/1553/A | D | Ewart Building (Corner of Franklin Street & McClintock Street), Belfast, BT2 7FE | 3 Projecting sign | Consent Granted |
| LA04/2024/1573/F | D | 17 Summerhill Avenue, Belfast, BT5 7HD | Change of use from barber shop (Class A1) to extension of health care services (Class D1A) | Permission Granted |

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| LA04/2024/1642/F | D | 41 Orby Gardens Ballyrushboy Belfast BT5 5HS | Single storey rear extension | Permission Granted |
| LA04/2024/1610/F | D | 15 William Alexander Park Ballyfinaghy Belfast BT10 0LW | Retrospective alterations and upgrading of patio area and addition of 1.8m boundary wall to the rear of the dwelling. | Permission Granted |
| LA04/2024/1614/F | D | 66 Lagmore View Road, Dunmurry, BT17 0FR | Two Storey Rear Extension and Single Storey Front Extension (Porch) | Permission Granted |
| LA04/2024/1617/A | D | 8 Student Roost - Nelson Place Nelson Street, Belfast, BT15 1BH | 1 Digital Screen, 1 Illuminated Sign and Vinyl Graphics | Consent Granted |
| LA04/2024/1615/F | D | 172 Lagmore Dale, Dunmurry, Belfast, BT17 0TQ | Single storey rear extension | Permission Granted |
| LA04/2024/1641/F | D | 197 Sandown Road, Belfast, BT5 6GX | Addition of a single-storey rear and side extension | Permission Granted |
| LA04/2024/1684/F | D | 106 Ladybrook Park, Belfast, BT11 9EP | Proposed single storey side extension and 1 no. new dormer window to front elevation (Amended Description) | Permission Granted |
| LA04/2024/1663/CLOPUD | D | Lands between McDonalds and Railway Line Rear of 233-263 Shore Road Belfast BT15 3PW | Commencement of planning permission ref. LA04/2018/2835/F works associated in the course of the erection of the development including laying of foundations prior to expiration date (13 october 2024) | Permitted Development |
| LA04/2024/1680/F | D | 3 Woodberry Lane, Belfast, BT17 0WZ | two-storey side extension | Permission Granted |
| LA04/2024/1675/F | D | 70 Gilnahirk Road, Belfast, BT5 7DJ | Removal of rear return and provision of new single storey rear flat roof extension. Renewal of front dormer windows and new dormer window to the rear (Part Retrospective) | Permission Granted |

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| LA04/2024/1760/F | D | 15 Deramore Drive, Belfast, BT9 5JQ | Brick pillars to front entrance | Permission Granted |
| LA04/2024/1721/F | D | 17 Greystown Avenue, Belfast, BT9 6UG | Single storey rear extension (part retrospective) | Permission Granted |
| LA04/2024/1713/F | D | 2 Malone View Road, Ballyfinaghy, Belfast, BT9 5PH | Existing single storey side extension to be demolished and a new single storey extension to be constructed with associated fenestration changes and new level access ramp and balustrade. | Permission Granted |
| LA04/2024/1770/F | D | 11 Fortwilliam Drive, Belfast, BT15 4EB | Proposed first floor extension to side/rear of dwelling with balcony (amended description). | Permission Granted |
| LA04/2024/1752/PAN | | Lands adjacent and south west of Monagh By-pass, north west of Nos. 17, 19 and 22 Black Ridge Gardens and c.150 metres south east of Nos. 38 to 70 (evens) Black Ridge View (part of the wider Glenmona mixed-use development), Belfast | Proposed mixed use development (in lieu of the previously approved employment zone under LA04/2020/0804/F) comprising 36 no. Category 1 (over 55's) social housing apartments and 7 no. Class B1/B2 Business/Light Industrial Units. Development includes 2 no. access points, car parking, landscaping and all associated site works | Proposal of Application Notice is Acceptable |
| LA04/2024/1753/DC | D | 41-49 Dublin Road and 3-5 Ventry Street, Belfast, BT2 7HD | Discharge of conditions 2,3,4,5 & 7 LA04/2023/3030/F – Submission of various risk assessments, Asbestos Survey and a Vibration Study. | Condition Partially Discharged |
| LA04/2024/1848/F | D | Fane Street Primary School, Fane Street, Belfast, BT9 7BW | Reconfiguration of car parking, provision of bin store, new internal fencing and associated landscaping and repair works to boundary wall. | Permission Granted |

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| LA04/2024/1846/LBC | D | Fane Street Primary School, Fane Street, Belfast, BT9 | Reconfiguration of car parking, provision of bin store, new internal fencing and associated landscaping and repair works to boundary wall. | Consent Granted |
| LA04/2024/1767/F | D | 10 Bingnian Drive, Belfast, BT11 8JA | Roof space conversion with a rear dormer and roof windows on the front elevation. | Permission Granted |
| LA04/2024/1772/F | D | 42 White Glen, Lagmore, Belfast, BT17 0XN | Single-storey rear extension and provision of access path to side of property. | Permission Granted |
| LA04/2024/1786/A | D | 90 Botanic Avenue, Belfast, BT7 1JR | Shop sign | Consent Granted |
| LA04/2024/1782/F | D | 35 Clowney Street, Belfast, BT12 7LY | Demolition of existing single storey return and erection of new 2-storey extension to rear of terraced dwelling. | Permission Granted |
| LA04/2024/1799/F | D | 78 North Parade Belfast BT7 2GJ | Single storey rear extension and internal alterations | Permission Granted |
| LA04/2024/1802/F | D | 1 Aberfoyle Gardens, Belfast, BT10 0DZ | Single storey rear extension with raised patio and steps | Permission Granted |
| LA04/2024/1811/F | D | 18 Sicily Park, Belfast, BT10 0AJ | Replacement of existing rear extension with single storey rear extension | Permission Granted |
| LA04/2024/1817/F | D | 15-19 William Street South, Belfast, BT1 4AR | Creation of new external fire escape doors from retail unit | Permission Granted |
| LA04/2024/1808/LBC | D | 15-19 William Street South, Belfast, BT1 4AR | Creation of new external fire escape doors from retail unit | Consent Granted |
| LA04/2024/1816/A | D | 8, 8a and 10 Boucher Road, Belfast, BT12 6HR | 1 illuminated totum | Consent Granted |
| LA04/2024/1821/LBC | D | 11-16 Donegall Square East, Belfast, BT1 5UB | Replace existing ATM at rear of building with new ATM model | Consent Granted |
| LA04/2024/1829/DCA | D | 65 Maryville Park, Belfast, BT9 6LQ | Demolition of existing rear wall to dwelling and existing conservatory. | Consent Granted |
| LA04/2024/1868/CLEUD | D | Flat 2, 77 Wellesley Avenue, Belfast, BT9 6DH | Change of Use to House in Multiple Occupation (HMO). | Permitted Development |

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| LA04/2024/1908/DC | D | Remaining vacant 3no. listed pavilions at former Belvoir Park Hospital site. Land 80 - 150m to the east and 170m south east of West House, Belvoir Park. | Discharge of condition 7 of application LA04/2024/1043/F - Remediation method statement | Condition Discharged |
| LA04/2024/1909/DC | D | Remaining vacant 3no. listed pavilions at former Belvoir Park Hospital site. Land 80 - 150m to the east and 170m south east of West House, Belvoir Park. | Discharge of condition no 2 of application LA04/2024/1072/LBC - remediation method statement | Condition Discharged |
| LA04/2024/1901/PAN | D | Lands on the site of the former Ballygolan Primary School, located immediately east of 50-56 Serpentine Road BT36 7HA, west of nos. 28-64 (evens) & 39 Vandyck Gardens BT36 7HQ & 39 Serpentine Road BT36 7HA and south of 37 Vandyck Gardens BT36 7HQ & nos. 44-45 Voltaire Gardens BT36 7EY, Belfast, Co Antrim. | Proposed new-build residential apartment development comprising 79 units, including 71 Nr. 3 Person 2 Bedroom (3P2B) Cat 1 Elderly apartments, 4 Nr. 3P2B Wheelchair Apartments, 4Nr. 2P1B Wheelchair Apartments, circulation & communal spaces, with landscaped open space, car parking and associated site works. | Proposal of Application Notice is Acceptable |
| LA04/2024/1913/PAN | D | Makro, 97 Kingsway, Belfast, BT17 9NS | Subdivision of existing cash and carry and change of use of c. 4,000 sq,m gross floorspace for use as Class A1 shop for occupation by Tesco (after relocation from existing store in Dunmurry), reconfiguration of car park, junction alterations and erection of petrol filling station | Proposal of Application Notice is Acceptable |
| LA04/2024/1931/DC | D | Clarence House 4-10 May Street, Belfast, BT1 4NJ | Discharge of condition 3 and 4 LA04/2023/4589/LBC- Method Statement and specification of external brickwork | Condition Discharged |

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| LA04/2024/1963/LBC | D | 15-19 William Street South, Belfast, BT1 4AR | Display of 3 shop signs - 1 no. fascia and 2 no. suspended illuminated shop signs (Amended Description) | Consent Granted |
| LA04/2024/1962/A | D | 15-19 William Street South, Belfast, BT1 4AR | 3 Shop signs - 1 no. fascia and 2 no. suspended illuminated shop signs | Consent Granted |
| LA04/2024/1953/WPT | D | Thornhill Malone, Belfast | Works to trees in a Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1974/CLEUD | D | 31 Salisbury Court, Belfast, BT7 1DD | Short term tourism accommodation | Permitted Development |
| LA04/2024/1967/DC | D | Lands approx. 40m south of 77 Edenderry Road, Belfast, BT8 8LQ | Dishcharge of Condition 3 LA04/2020/0995/F- Sewage Waste Disposal | Condition Discharged |
| LA04/2024/1980/CLEUD | D | Flat 1 29 Eglantine Avenue, Belfast, BT9 6DW | House in multiple occupation HMO Existing use | Permitted Development |
| LA04/2024/1988/WPT | | 56b Kings Road, Belfast, BT5 6JL | Works to trees in a Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1989/WPT | D | 79a Bawnmore Road, Belfast, BT9 6LD | Works to trees in a Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1990/WPT | D | 79 Bawnmore Road, Belfast, BT9 6LD | Works to trees in a Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1992/WPT | D | 35 Cranmore Gardens, Belfast, BT9 8HT | Works to trees in Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1993/WPT | | 12 Malone Park, Belfast, BT9 8HT | Works to trees in a Conservation Area | Works to Trees in CA Agreed |
| LA04/2024/1994/WPT | D | 128c Old Holywood Road. Belfast, BT4 2HN | Works to TPO protected trees | Works to TPO Granted |
| LA04/2024/2152/F | D | Lands located on the Gasworks central green space north of 2-20 Cromac Place and east of 1 Cromac Quay and also includes the Gasworks pedestrian / cycling link to the Lagan towpath | Landscaping works including relaying of pathways and grass lawns, raised grass terrace, additional planting beds, additional seating, lighting features, artwork and associated works. | |

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| LA04/2024/2004/LBC | D | Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX | Removal of mechanical & electrical equipment and solar array; removal of fixed stainless steel rail and damaged Portland Stone parapets. Rebedding of existing Portland Stone hoppers. Replacement of roof and stone parapets. Lead capping for parapets, new free standing protection rail and reinstatement of mechanical & electrical equipment and solar array. | Permission Granted |
| LA04/2024/2009/F | D | 542-544 Upper Newtownards Road, Belfast, BT4 3HE | Demolition of rear two storey section of building and build new gable wall. | Permission Granted |
| LA04/2024/2028/A | D | 12 Andersonstown Road, Belfast, BT11 9AF | Digital LED Sign | Consent Granted |
| LA04/2024/2030/DC | D | 1, West Bank Close, Belfast, BT3 9LD | Discharge of condition 8 LA04/2022/0725/F- Piling risk assessment. | Condition Discharged |
| LA04/2024/2043/CLEUD | D | 122 Agincourt Avenue, Belfast, BT7 1QD | Existing HMO (House in multiple occupation) | Permitted Development |
| LA04/2024/2040/CLEUD | D | 124 Agincourt Avenue, Belfast, BT7 1QD | Existing HMO (House in multiple occupation) | Permitted Development |
| LA04/2024/2051/CLEUD | D | 35 Bates Avenue, Belfast, BT9 7BY | HMO (House in multiple occupation). | Permitted Development |
| LA04/2024/2063/A | D | The Vine Centre, 185 - 195 Crumlin Road, Belfast, BT14 7DY | 1x ATM Surround Sign | Consent Granted |
| LA04/2024/2081/WPT | D | 5 Woodberry Lane, Belfast, BT17 0WZ | Works to TPO protected trees | Works to TPO Granted |
| LA04/2024/2095/CLEUD | D | 11 Rugby Parade, Belfast, BT7 1PY | Existing House of Multiple Occupancy | Permitted Development |
| | | | | <u>Total Decisions</u> |

Live Major Applications not previously considered by Committee @ 15.01.25

| Number | Application No. | Category | Location | Proposal | Date Valid | Target Date | Status |
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| 1 | LA04/2022/0809/F | Major | Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews Belfast. | Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works. | 21-Apr-22 | 17-Nov-22 | UNDER CONSIDERATION |
| 2 | LA04/2023/2633/F | Major | St Teresa's GAC, 2 Glen Road Heights, Belfast BT11 8ER | Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 4G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works including increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities. | 14-Mar-23 | 10-Oct-23 | UNDER CONSIDERATION |
| 3 | LA04/2023/3799/F | Major | Vacant lands (partial site of the former Wolfhill Flax Spinning Mill) located to the south, of Wolfhill Manor, north of Wolfhill Grove and west of Mill Avenue, Ligoniel Road, Belfast, BT14 8NR | New single storey 10-class based primary school, separate nursery school accommodation and school meals accommodation to facilitate the relocation of St. Vincent De Paul Primary School and Nursery from existing site on Ligoniel Road, Belfast. Proposal includes new pedestrian and vehicular accesses onto Mill Avenue, car parking, covered cycle storage area and hard play areas. Hard and soft landscaping including wildlife walkway, fencing, retaining walls, underground drainage system to include the reinstatement of underground storm sewer and headwall into adjacent DFI River wayleave. Includes temporary contractors compound and all associated site works. | 09-Oct-23 | 06-May-24 | UNDER CONSIDERATION |
| Page 374 | LA04/2023/4181/F | Major | Lands comprising the existing Sydenham Wastewater Pumping Station west of Park Avenue, Connswater River and King George V Playing Fields, to the south of the Sydenham By-Pass, east of The Oval football stadium, north and east of Parkgate Gardens and north of Parkgate Crescent, Parkgate Parade and Mersey Street, Belfast | Demolition of existing Wastewater Pumping Station (WwPS) with reinstatement of site as a landscaped area. Construction of a replacement WwPS including associated control building and hardstanding, the raising of site levels, in-channel works, provision of new rising main, other ancillary buildings, the creation of an access road on lands within the King George V Playing Fields to serve the facility, landscaping and other ancillary works. Provision of a temporary working area on lands within the King George V Playing Fields, the creation of a temporary access road from Mersey Street to facilitate construction traffic on lands to the rear of 1-35 Parkgate Gardens, the creation of a temporary footway adjacent to 88 Park Avenue and other ancillary development and landscaping restoration works. | 14-Nov-23 | 11-Jun-24 | UNDER CONSIDERATION |
| 5 | LA04/2024/0015/F | Major | Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4 | Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (amended description and plans). | 22-Dec-23 | 19-Jul-24 | UNDER CONSIDERATION |
| 6 | LA04/2024/0211/F | Major | Existing Football Stadium The Oval Parkgate Drive Belfast BT4 1EW. | Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site. | 15-Mar-24 | 11-Oct-24 | UNDER CONSIDERATION |
| 7 | LA04/2024/0285/F | Major | Ardoyne Youth Club, Old Beltex Mill, Flax Street, Belfast, BT14 7EJ | Demolition of existing building and erection of a new purpose-built youth facility including retention of existing chimney. (Renewal of planning permission reference LA04/2018/1998/F) | 20-Feb-24 | 17-Sep-24 | UNDER CONSIDERATION |

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| 8 | LA04/2024/0429/F | Major | Lands bound by North Street, Royal Avenue, Rosemary Street and building south of Lower Garfield Street located approximately 400m west of Laganside bus station 300m northeast of City Hall and 1km northwest of Central Train Station. | Renewal of planning permission LA04/2017/2126/F (Phase 1B Tribeca) for redevelopment including the construction of a new six storey building on the existing surface level car park, part change of use to create a mixed use development comprising retail units, restaurants and cafes, residential units, offices, church and related community floor space, new streets and public realm works. Demolition of 53 Royal Avenue and 27-31 Rosemary Street and restoration of Central Halls (37-39 Rosemary Street), Masonic Hall (15 Rosemary Street), 43/43a Rosemary Street and retention of 30-34 North Street. | 08-Mar-24 | 04-Oct-24 | UNDER CONSIDERATION |
| 9 | LA04/2024/0569/O | Major | STORMONT HOTEL 587 UPPER NEWTOWNARDS ROAD BALLYCLOGHAN BELFAST BT4 3LP | Outline planning permission with all matters reserved for independent living and assisted living retirement apartments (Use Class C3), associated internal access roads, communal open space, revised access from Castlevue Road, associated car parking, servicing, amenity space and landscaping. | 04-Apr-24 | 31-Oct-24 | UNDER CONSIDERATION |
| 10 | LA04/2024/0570/F | Major | Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castlevue Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39). | Change of use of from hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b)) and 1,559sqm diagnostic medical facility (Use Class D1(a)), associated access, car parking, landscaping and open space. | 04-Apr-24 | 31-Oct-24 | UNDER CONSIDERATION |
| 11 | LA04/2024/0675/F | Major | The Arches Centre 11-13 Bloomfield Avenue, Belfast, BT5 5AA | Change of Use of first and second floor of The Arches building to provide 39 No. apartments; extension to second floor to provide a further 6 No. apartments and erection of new third floor to provide 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works. | 13-May-24 | 09-Dec-24 | UNDER CONSIDERATION |
| Page 38 | LA04/2024/0714/F | Major | Units 2A and 2B at 38 Boucher Road, Belfast, BT12 6HR. | Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. | 14-Jun-24 | 10-Jan-25 | UNDER CONSIDERATION |
| 13 | LA04/2024/0910/F | Major | 70 whitewell Road, Newtownabbey, BT36 7ES Site at Hazelwood Integrated College | Redevelopment of Hazelwood Integrated College to include demolition of existing building and development of new school campus, new sports pitch, outdoor play areas, car parking, hard and soft landscaping and retention and refurbishment of the Listed Building (Graymount House) and other associated site works including a temporary mobile village during the construction process. | 23-May-24 | 19-Dec-24 | UNDER CONSIDERATION |
| 14 | LA04/2024/1385/F | Major | Olympic House, Titanic Quarter, 5 Queens Road, Belfast, BT3 9DH | Amendment to planning permission Z/2013/0931/F to permit occupation for Class B1(a) office and/or Class B1(c) research and development. | 09-Aug-24 | 07-Mar-25 | UNDER CONSIDERATION |
| 15 | LA04/2024/1458/F | Major | Divis and The Black Mountain National Trust Site, Divis Road, Hannahstown, Belfast, BT17 0NG. | Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture. Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage. | 20-Sep-24 | 18-Apr-25 | UNDER CONSIDERATION |
| 16 | LA04/2024/1592/F | Major | Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG | Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (7 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. | 20-Sep-24 | 18-Apr-25 | UNDER CONSIDERATION |

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| 17 | LA04/2024/1635/F | Major | Lands at Nos. 176-184 and No. 202 Woodstock Road and Nos. 2-20 Beersbridge Road, Belfast. | Section 54 application to vary condition 13 of LA04/2022/0209/F regarding vapour protection measures prior to occupation of approved development and refer to the updated Remediation Strategy of September 2024. The removal of the wording of part c of condition 13, which is no longer required. | 27-Sep-24 | 10-Jan-25 | UNDER CONSIDERATION |
| 18 | LA04/2024/1761/R M | Major | Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O. | Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details | 15-Oct-24 | 13-May-25 | UNDER CONSIDERATION |
| 19 | LA04/2024/1836/F | Major | Lands between Ballygomartin Road and Upper Whiterock Road and to the west (rear) of Moyard Parade and New Barnsley Crescent, Belfast Co. Antrim BT13 3QZ | Proposed development of new walking trails linking Black Mountain Shared Space Project building (approved under LA04/2022/0853/F) on the Ballygomartin Road with the Upper Whiterock Road and Moyard Parade. Proposal to include gated accesses, stockproof fencing, seated areas, information signage, landscaping and associated site works. | 25-Nov-24 | 23-Jun-25 | UNDER CONSIDERATION |
| 20 | LA04/2024/1837/F | Major | Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor Ballymurphy Belfast Co. Antrim | Vary condition 20 from previous planning permission LA04/2022/0129/F | 17-Nov-24 | 15-Jun-25 | UNDER CONSIDERATION |
| 21 | LA04/2024/2044/F | Major | Lands at 39 Corporation Street, Belfast, BT1 3BA | Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions | 26-Nov-24 | 24-Jun-25 | UNDER CONSIDERATION |
| Page 39 | LA04/2024/2134/F | Major | Site of the former Dunmurry Cricket Club, Ashley Park, Dunmurry, Belfast BT17 0QQ, located north of 1-10 Ashley Park and south of 1-20 Areema Grove and Areema Drive, Dunmurry. | Mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development comprising 40no social/affordable housing units with landscaping and associated works. | 21-Dec-24 | 19-Jul-25 | UNDER CONSIDERATION |

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Planning Applications Discussed at Committee Between 01 Apr 2019 and 15 Jan 2025

| Decision Description | Totals |
|----------------------|--------|
| To be issued | 32 |
| Consent Granted | 1 |
| Consent Refused | |
| Permission Granted | 4 |
| Permission Refused | 1 |
| Total | 38 |

| Application No. | Location | Proposal | Category | Date Valid | Delegated Committe | Committee Date | Weeks between Valid date and Comm date | Weeks Since Committee | Weeks between Comm Date and Issued Date 2 | Decision | Issue date | Todays Date | Reason decision not issued |
|------------------|---|---|----------|------------|--------------------|----------------|--|-----------------------|---|-----------------------|------------|-------------|-------------------------------|
| LA04/2021/0547/F | Lands at 124-126 Lisburn Road Belfast BT9 6AH | Demolition of the existing buildings and redevelopment of site for 2 no. commercial units on ground floor; 11 no. 1 & 2 bed apartments; landscaped communal courtyard; and all associated site works. | LOC | 30-Mar-21 | C | 15/02/2022 | 46 | 152 | No Issue Date | Decision to be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2022/2059/F | Lands south of 56 Highcairn Drive Belfast BT13 3RU Site located at junction between Highcairn Drive and Dunboyne Park | Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site works. (amended description and site location plan) | LOC | 04-Nov-22 | C | 29/06/2023 | 33 | 80 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2022/1924/F | 160-164 Kingsway Dunmurry BT17 9RZ. | Mixed-use proposal comprising 13 apartments (with 13 car parking spaces) and coffee shop. | LOC | 19-Oct-22 | C | 29/06/2023 | 36 | 80 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2023/2324/F | MOUNTAIN VIEW CENTRE NORGLLEN GARDENS BALLYMURPHY BELFAST ANTRIM BT11 8EL | Proposed redevelopment comprising demolition of an extant building and development of two apartment blocks (12 units category 1 over 55s tenure) and change of use/alterations of existing retail unit to apartments (8 units private tenure), communal amenity, parking, site access alterations, landscaping and ancillary site works | LOC | 13-Dec-22 | C | 17/10/2023 | 44 | 65 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |

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|------------------|--|---|-----|-----------|---|------------|-----|----|---------------|-----------------------|--|------------|-------------------------------|
| LA04/2020/1858/F | Hillview Retail Park Crumlin Road Belfast. | Proposed residential development of 18 no. social housing units, comprising two terraces. Development includes associated car parking, gardens, landscaping, site access and all other site works. (amended plans uploaded to the Planning Portal on the 5th April 2023 that revise the proposed access and road layout, including the introduction of a traffic island). | LOC | 08-Jan-21 | C | 14/11/2023 | 148 | 61 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2023/2390/F | Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast | Section 54 application to vary a number of conditions to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road. | MAJ | 22-Feb-23 | C | 12/12/2023 | 41 | 57 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2021/2016/F | 21-29 Corporation Street & 18-24 Tomb Street Belfast. | Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received). | MAJ | 26-Aug-21 | C | 16/01/2024 | 124 | 52 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2022/1219/F | 177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street Belfast | Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street | MAJ | 21-Jun-22 | C | 16/01/2024 | 82 | 52 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |

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| LA04/2022/0097/F | 22-30 Hopefield Avenue Belfast BT15 5AP | Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 - Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) | LOC | 04-Apr-22 | C | 13/02/2024 | 97 | 48 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2022/1384/F | Lands at 12 Inverary Avenue Sydenham Belfast BT4 1RN | Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks. | LOC | 05-Aug-22 | C | 19/03/2024 | 84 | 43 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2017/1991/F | Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT. | Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works. | MAJ | 20-Sep-17 | C | 19/03/2024 | 338 | 43 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2020/2105/F | 1-5 Gaffikin Street Belfast BT12 5FH | Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works. | MAJ | 21-Oct-20 | C | 19/03/2024 | 177 | 43 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2022/0612/F | Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast. | Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans). | MAJ | 15-Apr-22 | C | 18/06/2024 | 113 | 30 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2023/4215/F | 141-147 Upper Dunmurry Lane, Dunmurry, Belfast, BT17 0EY | Proposed 3no. residential apartment blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping. | LOC | 16-Oct-23 | C | 17/09/2024 | 48 | 17 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |

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| LA04/2024/0483/F | 34-44 Bedford Street and 6 Clarence Street, Belfast | Proposed change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works. | MAJ | 19-Mar-24 | C | 15/10/2024 | 30 | 13 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2024/0480/DCA | 34-44 Bedford Street and 6 Clarence Street, Belfast | Part demolition of existing buildings (stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use. | LOC | 29-Mar-24 | C | 15/10/2024 | 28 | 13 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2024/0393/F | ECIT Building Queen's Road, Queen's Island, Belfast, BT3 9DT | Proposed 5 storey extension to the East of the ECIT Building (Institute of Electronics, Communications and Information Technology), and 3 storey extension to the West, to provide additional research and development space with associated landscaping and site works. | MAJ | 21-Mar-24 | C | 12/11/2024 | 33 | 9 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2024/0369/F | Lands at Former Monarch Laundry site, and Broadway Hall Site, No's 451 - 457 Donegall Road, Belfast, BT12 6HD. | Proposed Specialist Nursing and Residential Care Facility comprising approximately 158 no. beds, day/dining rooms, treatment rooms, staff rooms, office/store rooms, including car parking provision, cycle parking, refuse storage, landscaping, and associated site and access works. | MAJ | 08-Feb-24 | C | 12/11/2024 | 39 | 9 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |

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| LA04/2022/1206/F | Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW. | Demolition of existing 1960s three storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work. | MAJ | 05-Aug-22 | C | 12/11/2024 | 118 | 9 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting issuing |
| LA04/2022/1458/LBC | Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW | Demolition of existing 1960s three storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work. (revised description and plans) | LOC | 08-Jun-22 | C | 12/11/2024 | 126 | 9 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting issuing |
| LA04/2020/0568/F | 21 Queen Street Belfast BT1 6EA. | Demolition of building and structures at rear, refurbishment and alteration of frontage building and erection of 9 storey extension to rear to form hotel (74 bedrooms) with associated restaurant, bar & ancillary facilities and works (amended description). | LOC | 04-Mar-20 | C | 10/12/2024 | 248 | 5 | 1 | Permission Granted | 20 Dec 2024 | 15/01/2025 | |

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| LA04/2024/0122/F | Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG | Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works. | MAJ | 19-Jan-24 | C | 10/12/2024 | 46 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2023/4405/F | Westland House, 40 Old Westland Road, Belfast, BT14 6TE | Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories. | MAJ | 20-Dec-23 | C | 10/12/2024 | 50 | 5 | No Issue Date | Permission Granted | | 15/01/2025 | Awaiting issuing |
| LA04/2023/3691/F | Little Patrick Street and Little York Street, Belfast, BT15 1BH | Public realm scheme: Reconfiguration of Little Patrick Street to single lane carriageway, including localised shared space, traffic calming and restricted access to enable servicing / emergency access. Traffic calming measures provided to Little York Street. Other works to include installation of planters with integrated seating, tree planting, rain gardens, bespoke lighting pillars, catenary lighting and surface improvements. (Amended Plans and Information Received). | LOC | 13-Jul-23 | C | 10/12/2024 | 73 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting issuing |
| LA04/2024/1591/F | 20 Deramore Park, Belfast, BT9 5JU | Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works. | LOC | 17-Sep-24 | C | 10/12/2024 | 12 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting issuing |
| LA04/2024/1593/DCA | 20 Deramore Park, Belfast, BT9 5JU | Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works. | LOC | 17-Sep-24 | C | 10/12/2024 | 12 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting issuing |

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| LA04/2024/1623/F | 49 Woodcot Avenue, Belfast, BT5 5JB | Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis) | LOC | 26-Sep-24 | C | 10/12/2024 | 10 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Deferred for Site visit |
| LA04/2024/1744/LBC | Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS | Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall | LOC | 16-Oct-24 | C | 10/12/2024 | 7 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Deferred for Site visit |
| LA04/2024/2016/F | Ulster Hall 30 Bedford Street, Belfast, BT2 7FF | Erection of a life-sized statue of Rory Gallagher on the existing patio area to the side of Ulster Hall | LOC | 04-Dec-24 | C | 10/12/2024 | 0 | 5 | 3 | Permission Granted | 02 Jan 2025 | 15/01/2025 | |
| LA04/2024/1141/DCA | Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast | Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses | LOC | 28-Jun-24 | C | 10/12/2024 | 23 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2024/1046/F | Duncrue Complex, Duncrue Road, Belfast BT3 9BP | Erection of a store to be used as a workshop for Eurobins. | LOC | 29-Oct-24 | C | 10/12/2024 | 6 | 5 | 1 | Permission Granted | 23 Dec 2024 | 15/01/2025 | |
| LA04/2024/0626/F | 1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB . | Erection of 104no. residential units across two detached blocks [ranging between 3 and 5 storeys] including 84 no. Social Rented Housing Units (comprising a mix of General Social Housing and Category 1 over 55's accommodation), landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works | MAJ | 17-Apr-24 | C | 10/12/2024 | 33 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2024/1020/F | 6 Paxton Street, Belfast, BT5 4NU | Proposed change of use from dwelling (C1) to 3-Bedroom HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front. | LOC | 11-Jun-24 | C | 10/12/2024 | 26 | 5 | 2 | Permission Refused | 30 Dec 2024 | 15/01/2025 | |

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| LA04/2024/0475/F | Ulidia Resource Centre, Somerset Street, Ballynafoy, Belfast, BT7 2GS | Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas. | MAJ | 18-Apr-24 | C | 10/12/2024 | 33 | 5 | 4 | Permission Granted | 10 Jan 2025 | 15/01/2025 | |
| LA04/2023/2557/F | Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove. Belfast. | 260 no. dwellings, children's play area and other ancillary and associated works. | MAJ | 24-Feb-23 | C | 10/12/2024 | 93 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2020/2325/F | Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast. | Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information) | LOC | 06-Nov-20 | C | 10/12/2024 | 213 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2019/0081/F | Lands at former Maple Leaf Club 41-43 Park Avenue Belfast. | Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout) | LOC | 04-Oct-24 | C | 10/12/2024 | 9 | 5 | No Issue Date | Decision To Be Issued | | 15/01/2025 | Awaiting Section 76 Agreement |
| LA04/2020/0569/LBC | 21 Queen Street Belfast. | Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description). | LOC | 17-Feb-20 | C | 10/12/2024 | 251 | 5 | 1 | Consent Granted | 20 Dec 2024 | 15/01/2025 | |



| | |
|---------------------------|--|
| Subject: | Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG) |
| Date: | 21 January 2025 |
| Reporting Officer: | Dermot O'Kane – Acting Development Planning & Policy Manager |
| Contact Officer: | Martyn Smithson, Senior Planning Officer |

Restricted Reports

Is this report restricted?

Yes ☐ No ☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number ☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision
After Council Decision
Sometime in the future
Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes ☒ No ☐

| | |
|------------|---|
| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | This report provides an overview of Supplementary Planning Guidance (SPG) relating to Purpose Built Managed Student Accommodation (PBMSA), following the 12-week public consultation period. The existing SPG, adopted in June 2016, was reviewed following the adoption and Local Development Plan (LDP) Plan Strategy in May 2023 and the conclusion of the consultation for the draft SPG. Committee are asked to approve the final PBMSA SPG and associated public consultation report for publication. |
| 2.0 | Recommendation |
| 2.1 | Committee are asked to agree to the publication/adoption of the Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG) attached at Appendix 1 and the associated Consultation Report at Appendix 2. |
| 3.0 | Main Report |
| 3.1 | <p>Prior to the development of the Local Development Plan (LDP) Plan Strategy, Planning Service produced three documents to provide the Council with appropriate tools to deal with an influx of planning applications for PBMSA in the City Centre. These included:</p> <ul style="list-style-type: none"> • Purpose Built Managed Student Accommodation (PBMSA) – Planning and Place Advice Note, October 2015; • Purpose Built Managed Student Accommodation (PBMSA)– Planning and Place Best Practice Guide, December 2015; and • Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG), June 2016. |
| 3.2 | As these documents were developed in advance of the LDP, they were based on policies that have now been superseded by policies in the Plan Strategy. Appendix E of the Plan Strategy therefore noted that the current adopted SPG on PBMSA would need to be revised in line with the new LDP. The revised SPG follows the same format and style as the 17 SPG adopted in May 2023 alongside the Plan Strategy. |
| 3.3 | The formal consultation period for the PBMSA SPG commenced on Thursday 29 August 2024 and closed on Thursday 21 November 2024 at 5pm. An online consultation survey (and accompanying hardcopy survey form) was made available during this period for the receipt of representations. |
| 3.4 | A total of four (4) representations were received during the consultation period for the dSPG. The respondents are categorised as individual (2), an educational body (1) and private sector (1). The private sector response was a joint response by three planning consultants. The respondents are listed in Appendix A of the PBMSA SPG Consultation – Representations Report. |
| 3.5 | There were a range of positive comments received about the SPGs in terms of their clarity and intent and there were proposals for a number of minor changes, many of which have been incorporated into the final SPG document. There was general support for the preparation of a revised SPG following the adoption of the Plan Strategy in May 2023, which will supersede the 2016 PBMSA SPG. Comments welcomed the recognition given to the significant contribution made by students studying and living within the city to the local and regional economy and recognition to the need for PBMSA to be well planned/designed, appropriately located and properly managed. |
| 3.6 | A number of more significant comments were made in respect of the understanding of an Established Residential Area (ERA), including requests for greater clarity around criterion a. |

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| | of Policy HOU12. Several paragraphs on ERAs were re-worked to clarify the intent of criterion a, in that it is a locational test rather than an impact test. |
| 3.7 | There was general support for the requirement for a management plan, while minor adjustments have been made to the SPG to ensure the guidance is in-line with current practice. A mixture of comments were also submitted in relation to the flexible application of design Policies HOU7, RD1 and OS3 to PBMSA development. |
| 3.8 | A table is included within the PBMSA SPG Consultation – Representations Report (Appendix 2) which details the main issues raised during the consultation in relation to the dSPG, including the Council's justification where revisions have been made or otherwise to the final SPG. Members are asked to note the changes made to the SPG and to approve the final PBMSA SPG (Appendix 1) for publication. |
| 3.9 | As part of the consultation one respondent requested that PBMSA monitoring is made publically available to assist with the demonstration of need. The Council maintains an annual monitor of PBMSA developments aligned to the start of each academic year i.e. October/November. Members should note that this data (from November 2023) has now been made available via an online map viewer which will be published on the Council website alongside the final SPG. It will continue to be maintained on an annual basis. |
| 3.10 | <u>Financial and Resource Implications</u> None associated with this report. |
| 3.11 | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> None associated with this report |
| 4.0 | Appendices - Documents Attached |
| | Appendix 1 – Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG), January 2025 Appendix 2 – PBMSA SPG Consultation – Representations Report |

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Belfast Local Development Plan

**Purpose Built Managed Student
Accommodation (PBMSA)**

Supplementary Planning Guidance

January 2025

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1 Introduction

1.1 Introduction

- 1.1.1 This Supplementary Planning Guidance (SPG) provides additional advice and guidance specific to Purpose Built Managed Student Accommodation (PBMSA) in Belfast. It complements Policy HOU12: Large scale purpose built managed student accommodation (PBMSA) which has been adopted in the Local Development Plan (LDP) Plan Strategy (PS). It is intended for use by developers, the public and by planning officers in the assessment of planning applications for PBMSA developments within Belfast.
- 1.1.2 SPG represents non-statutory planning guidance which supports, clarifies and/or illustrates by example policies included within the current planning policy Framework, including the PS and other development plans.
- 1.1.3 Where relevant to a particular development proposal, this SPG will be taken into account as a material consideration when determining planning applications.

1.2 What is Purpose Built Managed Student Accommodation (PBMSA)

- 1.2.1 PBMSA is accommodation that is built, or converted, with the specific intent of being occupied by students undertaking a full-time course of higher or further education – either within individual ensuite units or sharing facilities. The inclusion of the word ‘managed’ highlights the importance of such accommodation being centrally supervised by the developer/landlord to provide welfare support for students and to ensure compliance with any code of conduct or tenancy agreements, etc.
- 1.2.2 These management arrangements are a significant difference between PBMSA and students living in the more traditional form of student accommodation often referred to as Houses in Multiple Occupation (HMOs) in the private rented sector. However, as a form of housing, PBMSA has many distinct characteristics that distinguish them from smaller-scale housing occupied by unrelated people (HMOs). They raise many different planning issues from other forms of student accommodation, HMOs or general housing that can have significant implications for the orderly and consistent development of the City.
- 1.2.3 Although ‘residential’ in nature, PBMSA has no formal definition within the planning system and is considered ‘sui generis’ (unique/of its own class). It is therefore a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately assessed.

- 1.2.4 The student population in Belfast includes anyone enrolled for more than two weeks on a higher education (HE) course that is primarily based in the UK, unless they are an incoming exchange student, on sabbatical, writing-up or dormant. Data from universities, higher education colleges and other specialist providers of higher education are collectively referred to as Higher Education Institutions (HEIs). Higher education campuses in Northern Ireland includes Queen's University Belfast, The Open University, St Mary's University College, Stranmillis University College and Ulster University.
- 1.2.5 In the academic year 2021/22, there were a total of 2,862,620 students in higher education (undergraduate and postgraduate students) for the whole of the UK¹. In the context of Northern Ireland (NI), in the same academic year there were a total of 69,565 students in higher education (undergraduate and postgraduate students). Therefore, the NI student population represents 2.43% of the total UK students. The number of higher education students enrolled in Northern Irish campuses, has increased on an annual basis. From the academic year 2017/18 through to 2021/22 there was an increase of 15,105 students, or 27.7%.
- 1.2.6 The council recognise that students studying and living within Belfast make a significant contribution to local and regional economies. For Belfast, the continued growth in the number of students wishing to enter third level education in our universities and further education colleges; the re-location of the Ulster University to the north of the City Centre and growth in the international student market all present significant opportunities for the city.
- 1.2.7 However, the rapid expansion of student numbers over the last three decades also presents a range of challenges, with specific pressures relating to housing a large student population in concentrated areas of the city and associated impacts on existing housing stock, local amenities and the wider urban environment. Taking learning from experiences of areas such as the Holylands, student housing provision needs to be well planned and appropriately managed to ensure that there is positive integration with existing communities and minimise any potential negative side effects or 'externalities' associated with an increasing student population.

¹ <https://www.hesa.ac.uk/data-and-analysis/students/whos-in-he#numbers>

2 Policy Context

2.1 Regional planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1.1 The RDS recognises the importance of Belfast as the major driver for regional economic growth. It notes that population decline in the City needs to be reversed in order to have a strong capital city which is the economic driver of Northern Ireland. Key to this population growth will be the provision of housing to meet the full range of need. The council's Policy approach to PBMSA therefore seeks to manage housing growth and achieve sustainable patterns of development (Policy RG8) and help grow the population of the City (Policy SFG2).

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.1.2 The council is required by the SPPS to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. In furthering sustainable development, the SPPS advises that it is important to manage housing growth in a sustainable way, placing particular emphasis on the importance of the inter-relationship between the location of local housing, jobs, facilities and services, and infrastructure. It is similarly important to successfully integrate transport and land use generally in order to improve connectivity and promote more sustainable patterns of transport and travel.
- 2.1.3 Whilst there are no direct references to student housing within the SPPS, it notes that planning authorities should seek to facilitate sustainable housing growth in response to changing housing need, support urban regeneration (including proposals to address dereliction and to promote investment in the physical regeneration of deprived areas), progress policies, plans and proposals that can improve the health and well-being of local communities and help build a strong and shared society. Offering a variety of house types, sizes and tenures, such as bespoke PBMSA, will help to meet the diverse needs of all the community.

2.2 Local planning policy

Local Development Plan (LDP) Plan Strategy (PS) 2035

- 2.2.1 The Plan Strategy (PS) provides the strategic policy framework for the plan area as a whole across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies, including those relating to housing.
- 2.2.2 The residential accommodation policies within the PS seek to address both current and future residential needs by ensuring sufficient land is made available to meet

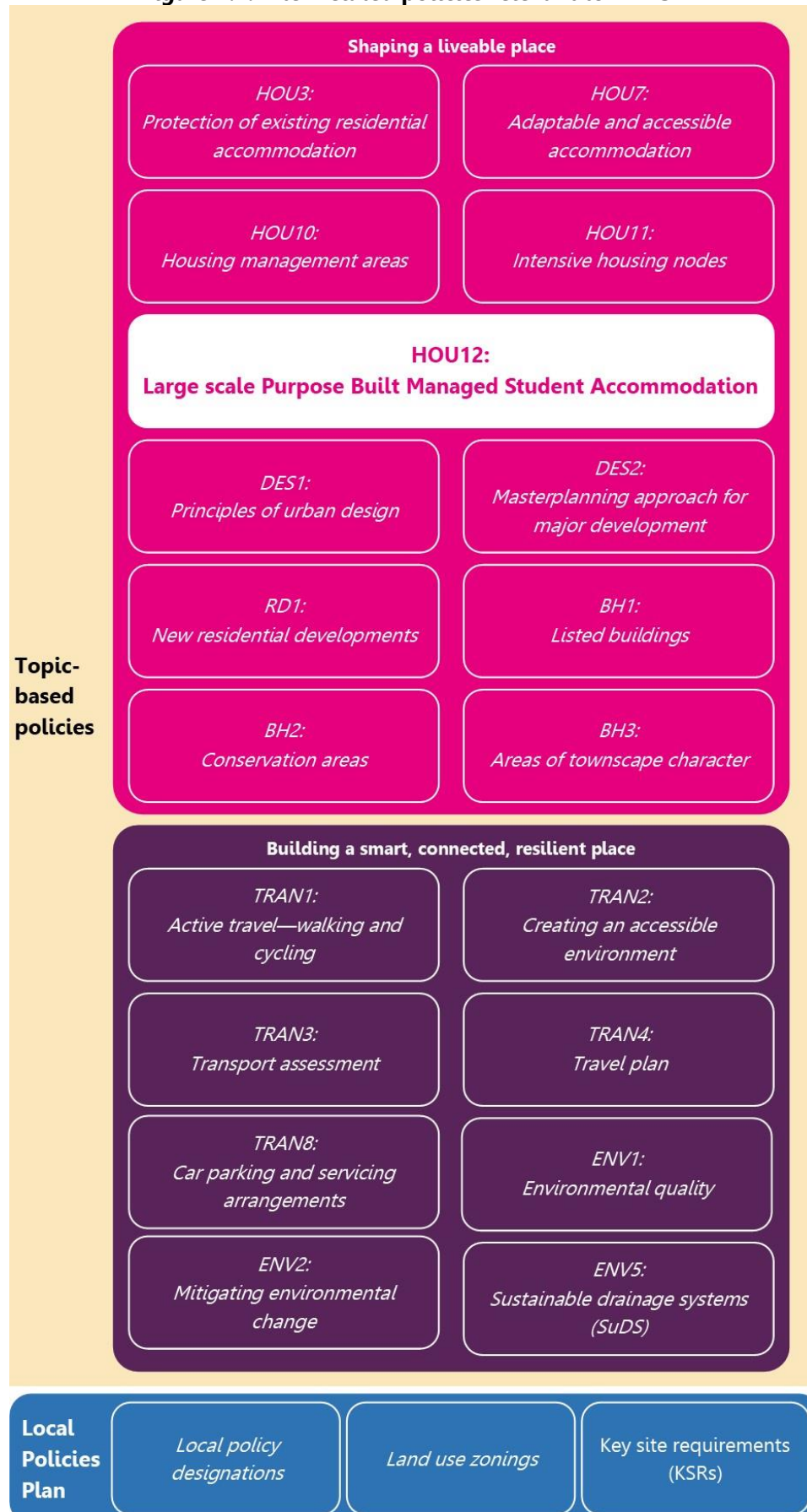
future housing requirements. The housing policies will therefore aim to ensure an appropriate supply of housing to provide for those with specialist housing need including specialist residential accommodation, including shared forms of housing and purpose-built student accommodation.

- 2.2.3 While this guidance supplements Policy HOU12: Large scale purpose built managed student accommodation (PBMSA), there are also a range of other relevant policies within the Plan Strategy as illustrated in Figure 2.1.

Local Policies Plan

- 2.2.4 The Local Policies Plan (LPP) will set out Key Site Requirements (KSRs) for certain land, which may in some cases be relevant to PBMSA development. This may include specific guidance or site-specific matters such as appropriate mix of uses, specific design requirements such as density of development, heights, scale, massing of buildings, etc.

Figure 2.1: Inter-related policies relevant to PBMSA



3 Large scale Purpose Built Managed Student Accommodation (PBMSA)

3.1 Introduction

- 3.1.1 PBMSA proposals raise a number of planning issues. Developers should consider the guidance provided in relation to these issues at the earliest opportunity when planning new PBMSA developments to ensure that the final development will be of the highest quality and will respond to the relevant planning policy requirements.
- 3.1.2 The Planning Act (NI) 2011 requires that prospective applicants for all regionally significant and major developments² must undertake formal public consultation prior to the submission of a planning application. This is to ensure that communities are aware of, and have an opportunity to comment on, such proposals before an application is made.
- 3.1.3 The 'front loading' of work is fundamental to the new development management system introduced through the reform of the planning in April 2015 and our Statement of Community Involvement (SCI) outlines a number of opportunities for early engagement with both the council and local communities/stakeholders, including:
- **Pre-application Discussions (PADs):** The opportunity to discuss any proposals for PBMSA with the council prior to a planning application being submitted; and
 - **Pre-Application Community Consultation (PACC):** Due to the scale and the nature of PBMSA, pre-application community and stakeholder consultation is usually required. Even where a specific development does not meet the statutory definition of major development, the nature of PBMSA means that early engagement with affected communities is still highly recommended.
 - **Proposal of Application Notice (PAN):** When a pre-application consultation is required, applicants must submit a PAN to the council detailing the proposed consultation process. Separate guidance on the PAN process and pre-application consultation is available from the council's website.
- 3.1.4 Whilst these provisions represent the minimum requirements for pre-application consultation, early engagement with interested parties³ and the council will help to enhance the quality of the design and reduce the potential delays at the application stage. Developers should therefore consider the need for engagement beyond the minimum level to increase the likelihood of delivering a successful PBMSA

² See the Planning (Development Management) Regulations (Northern Ireland) 2015

³ Interested parties may include, people living within the area/neighbourhood, elected representatives, voluntary groups, community forums/groups/umbrella organisations, environmental groups, residents' groups, business interests and developers/landowners.

development, through better understanding of local concerns and circumstances. This early engagement ensures action can be taken to address issues before detailed designs are developed for a formal application.

- 3.1.5 The following sections address each key planning issue in turn and set out the type of supporting information that is likely to be required as part of a planning application in order to allow each of these issues to be fully considered.

3.2 Location and accessibility

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

Planning permission will be granted for large scale purpose built managed student accommodation (PBMSA) where all of the following criteria are met:

- a. **The proposal is easily accessible to higher education Institution campuses by sustainable transport modes and is not within an established residential area (see appendix B);**

Accessibility

- 3.2.1 There is a need to ensure that PBMSA is easily accessible to HEI campuses by sustainable transport modes, be it walking or wheeling, cycling or public/shared forms of transport.
- 3.2.2 To be easily accessible, an ideal location for PBMSA would be within walking and wheeling distance to a campus. A distance of 1,200 metres, approximately 15 minutes walking time, of an existing higher education institution campus will help to achieve the aspiration of this policy criterion by allowing relative ease of access to a campus for students via walking and wheeling.
- 3.2.3 The City Centre is a highly accessible location, almost entirely within a 1,200m distance to either of the principal higher education institution campuses and is recognised as a preferred location for higher density housing, which could include PBMSA.
- 3.2.4 Outside of the City Centre, PBMSA may be acceptable, in principle, in highly accessible locations, such as on City Corridors, which benefit from appropriate infrastructure for cycling and public transport. Similarly, Intensive Housing Nodes (IHNs) are designated specifically because they are able to accommodate higher density residential developments with a lower impact on traditional residential areas and because they can optimise existing infrastructure for sustainable transport.

Large scale Purpose Built Managed Student Accommodation (PBMSA)

Although IHNs are designated specifically because they are appropriate locations for HMOs and flats/apartments, PBMSA have many similar locational requirements.⁴

- 3.2.5 While PBMSA may therefore be acceptable within IHNs, care should be taken to avoid an overconcentration particularly in areas nearby a HEI campus or in locations where increased pressure could be placed on Established Residential Areas (ERAs).

Protecting Established Residential Areas

- 3.2.6 Whilst it is recognised that PBMSA is residential in nature, planning legislation acknowledges PBMSA as a more intensive land use, and so is a '*sui generis*' use class. It is acknowledged that high-quality PBMSA can make a positive contribution to the local environment, supporting regeneration through renewal of vacant/derelict sites and boosting local populations to sustain facilities and amenities. However, the potential benefits must be balanced against potential negative impacts that may arise from PBMSA.
- 3.2.7 As well as ensuring accessibility to HEI campuses, criterion a. of Policy HOU12 also seeks to protect existing residential communities from unacceptable impacts by requiring that PBMSA developments are not located within Established Residential Areas (ERAs). ERAs are not formally designated within planning policy, but whether or not a site falls within an ERA is established with reference to the definition within Appendix B of the Plan Strategy.
- 3.2.8 As is common case, planning policy is to be given its ordinary, natural, commonsense meaning within the policy itself. The relevant context is spelt out by the aims and justification of the policy. Therefore, as criterion a. states, planning permission will only be granted for PBMSA development where a site is not deemed to be within an ERA. Where it falls within an ERA, planning permission will be refused.
- 3.2.9 As a general guide where a proposed development for student accommodation is surrounded on more than two sides by residential properties then it may be considered to fall within an ERA, particularly where there is a recognisable form of housing styles, clear spatial structure, building form or plot sizes. However, according to the definition, ERAs can also have a greater range and mix of building styles or a less uniform pattern of development and are nonetheless still worthy of protection against redevelopment or infill at a significantly higher density than that found in the locality. The definition of an ERA also acknowledges that they may include buildings

⁴ Policy HOU11 deals with Intensive housing nodes. Paragraph 7.1.74 of the Plan Strategy explains that intensive housing nodes will be designated in the Local Policies Plan (LPP) and that in advance of this, Policy HOU11 will be applied to existing HMO Development Nodes as outlined within designation HMO 4 of the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015. Existing HMO Development Nodes outside of the city centre are concentrated along existing arterial routes.

in commercial, retail or leisure services use, proportionate in scale to the size of the neighbourhood being served.

- 3.2.10 Whether or not a site falls within an ERA must therefore be judged on a case-by-case basis with reference to the site context and the definition of ERAs outlined in Appendix B of the PS.

Cumulative Impact

- 3.2.11 It is widely recognised that an overconcentration of student accommodation relative to the wider community can lead to an imbalance in the community. Taking the learning from experiences of areas such as the Holylands, student housing provision needs to be well planned and appropriately managed to ensure that there is a positive integration with any existing communities.
- 3.2.12 For PBMSA development, consideration will be given to the cumulative impact of PBMSA, to ensure that the impact on existing communities is carefully assessed. In many locations, whilst a single PBMSA development of an appropriate scale may be accommodated without giving rise to any particular harm, multiple PBMSA developments in close proximity are more likely to be detrimental. This will be particularly important within the HMAs designated pursuant to Policy HOU10, as well as within ERAs.
- 3.2.13 As noted, some areas of the city may be more appropriate for PBMSA development based on existing land uses where cumulative impacts may be reduced and where additional benefits may be realised such as revitalising the physical fabric through re-use of vacant buildings and redevelopment of derelict and unattractive land. However, the prime planning issue is the location of PBMSA on sites where there is accessibility to third-level institutions by sustainable transport needs.

- 3.2.14 No specific threshold is set at which a community balance is likely to be lost, and so the cumulative impact will be assessed on a case-by-case basis, taking into account the factors outlined above.

Protection of residential stock

- 3.2.15 The residential accommodation policies within the LDP seek to address current and future residential needs, by protecting existing residential stock and ensuring sufficient land is made available to meet future housing requirements. Policy HOU3: Protection of existing residential accommodation is applicable to any PBMSA developments that involve the conversion/re-development of existing residential buildings.
- 3.2.16 In such cases, Policy HOU3 would generally preclude the redevelopment and/or change of use of existing dwellings for PBMSA unless it is considered complementary

Large scale Purpose Built Managed Student Accommodation (PBMSA)

to surrounding residential uses and will not result in any adverse effects on existing residential amenity. However, this will still be subject to meeting the requirements of Policy HOU12 and where an existing residential building is in close proximity to other residential uses it is likely that it may also be considered to fall within an ERA.

Supporting information

- 3.2.17 To allow for the full assessment of the location and accessibility of a proposal, including the cumulative impact, a **PBMSA Statement** must be submitted as part of any application for PBMSA developments which includes:
- A plan illustrating location of the development identifying key walking routes, distances and walking times to relevant higher education institution campus or public transport halts.

3.3 Scale of development

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

- b. The development consists of a minimum of 200 occupants. This will not preclude proposals for smaller incremental extensions or consolidations of existing halls of residence and phased development of larger schemes;

- 3.3.1 When considering the impact of PBMSA, consideration should also be given as to whether the scale of a proposed development is appropriate to the location so as to enable adequate management, to maintain a community balance and to minimise any conflict with surrounding residential neighbourhoods.
- 3.3.2 PBMSA developments are required to have a minimum of 200 occupants, without precluding smaller incremental extensions or consolidations of existing accommodation and phased development of larger schemes. However, there is no specific policy for planning applications relating to PBMSA with fewer than 200 occupants and, as such, smaller schemes may be considered to fail this policy test. Student accommodation is measured in occupants/bed spaces and not individual units. 200 occupants would equate to 200 bedspaces.
- 3.3.3 However, where smaller schemes are able to meet the other requirements of this policy, such as the provision of appropriate management arrangements, planning applications may still be considered acceptable.
- 3.3.4 In addition, all PBMSA proposals are also subject to a range of other relevant policies, such as those relating to design quality and impact on surrounding areas (see Policy RD1).

3.4 Quality residential environment

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

- c. The development provides a quality residential environment for students in accordance with the space standards for HMOs set out in appendix C;

Design Quality

- 3.4.1 The layout, design and facilities provided within a development should be of a high standard to ensure a quality residential environment. As outlined in Section 2, while Policy HOU12: Large scale purpose built managed student accommodation (PBMSA) sets out the broad policy framework for PBMSA developments, there are a range of other relevant policies within the Plan Strategy with design implications (see Figure 2.1).
- 3.4.2 It is important that the nature, layout and design of proposed schemes are appropriate to the location and context and would not result in an unacceptable impact on local character, environmental quality or residential amenity. Good quality PBMSA will help to maximise the positive effects of development, including multiple regeneration benefits, whilst minimising any potential harm to local character, environmental quality or existing residential amenity. When considering design quality in the context of PBMSA, it is important to address residential design criteria, deliver development which is sustainable, and attend to matters of parking, waste and recycling, alongside open space.

Residential Design Criteria

- 3.4.3 Policy RD1: New residential developments relates to design quality in new residential development and is applicable to PBMSA development given that they are residential in nature. To ensure conformity with these policy standards, planning applications for PBMSA will be tested against the design criteria. They seek to ensure integration with the surrounding context and minimal impact on neighbouring uses, the protection of the built and natural heritage, adequate provision of open space and local neighbourhood facilities, accessibility and appropriate parking provision, and the promotion of personal safety. As well as applying to new residential developments, the same design criteria also apply when converting or changing the use of existing buildings to PBMSA.
- 3.4.4 Policy RD1 contains a number of design criteria aimed at minimising conflict with adjacent land uses, assisting integration with the surrounding area, ensuring adequate provision of necessary local facilities and ensuring there are no unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Comments

received in response to public consultation on a planning application will be considered when assessing the likely impact of a proposed development.

- 3.4.5 In addition to the residential design requirements, there are a number of broader policies and relevant land designations within the existing planning policy framework that provide specific design advice, depending on the specific location of a proposed development. These include:
- **Policy BH1: Listed Buildings:** There is a presumption in favour of retaining listed buildings unless there are exceptional reasons to justify a demolition. The change of use of listed buildings to PBMSA is likely to be appropriate where this secures its upkeep and survival and where the development is in conformity with the wider planning policy framework. PBMSA developments within the vicinity of listed buildings will also be subject to tighter policy controls to help control the impact on the setting of the listed buildings.
 - **Policies BH2: Conservation Areas and BH3: Areas of Townscape Character (ATCs):** PBMSA developments within, or affecting, a Conservation Area or ATC will need to preserve or enhance the character and appearance of the Conservation Area or ATC. There is a presumption in favour of retaining any building which makes a positive contribution to the character or appearance of a Conservation Area or ATC, as identified within the Design Guides available for each area.
 - **Zonings and designations:** Although potential uses of the sites are not always specified, PBMSA may be acceptable as part of a mixed use developments, assuming other policy requirements are met, including specified urban design requirements relating to density of development, heights, scale, massing, etc
 - **Retail core:** Within Belfast City Centre, non-retail development is restricted to upper floors within the Primary Retail Core.

Sustainable Development

- 3.4.6 It is important that new PBMSA delivers sustainable development in its broadest sense. There are a number of elements of PBMSA developments that will contribute to the delivery of sustainable development, such as locating developments so as to reduce the need to travel and to promote walking or cycling, the use of Green Travel Plans and providing a quality residential environment. As with all new buildings, the design concept should consider the sustainability of the overall design from the outset. This could include the use of energy efficiency and sustainable construction methods, such as green roofs, or the installation of energy reduction and zero-carbon generating technologies, such as solar panels and rainwater harvesting, as appropriate. Green roofs can also contribute to the overall open space provision, as well as offering energy reductions through their isolating effect.
- 3.4.7 These are a number of rating systems, such as the Code for Sustainable Homes and BREEAM (Building Research Establishment's Environmental Assessment Method), available to help in the consideration of overall sustainable development. Reference

to such considerations should be included within the Design and Access Statement submitted to support any planning application.

- 3.4.8 There are a number of topic based environmental policies within the Plan Strategy which should be implemented for any new PBMSA developments. Policy ENV1 (Environmental quality) is intended for new developments to enhance environmental quality where possible, ensuring the development must not result in an unacceptable adverse impact on the environment including ground contamination, air and water quality, noise and light pollution. Policy ENV2 (Mitigating Environmental change) ensures new development will incorporate measures to mitigate environmental changes and reduce Greenhouse Gas (GHG) emissions by promoting sustainable patterns of development, while Policy ENV5 (Sustainable drainage systems (SuDS)), will be implemented for all built development, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.

Parking

- 3.4.9 The negative impacts of the parking demands from students on existing provision should be addressed when considering planning applications for PBMSA developments. Criterion d. of Policy RD1 also sets out the policy requirement to keep hard surfacing to a minimum, which has direct relevance to car parking. Careful consideration should be given to the siting and organisation of car parking within an overall design for open space so that car parking does not negatively affect the use and appearance of open spaces. This is closely linked to the need to support walking, cycling and access to public transport referenced in criterion a. of Policy HOU12.
- 3.4.10 In accordance with Policies TRAN1: Active travel – walking and cycling and TRAN2: Creating an accessible environment, the provision of PBMSA in close proximity to a higher education institution campus can also help to justify a reduction in parking provision due to a reduced need for private cars to travel to the place of study. In reality, many PBMSA schemes operate without the need for parking bringing associated benefits such as reduction in emissions, health benefits of walking and cycling and increased use of public transport.
- 3.4.11 In accordance with Policies TRAN 3: Transport assessment and TRAN 4: Travel Plan, a detailed Transport Assessment Form should be completed to help understand the transport impacts of a development and to determine if a detailed Transport Assessment is needed. Travel Plans should also be provided in relation to PBMSA to provide the necessary evidence to support any reductions in parking provision and to detail how walking and cycling will be promoted. For example, 'green' Travel Plans are now widely utilised to actively encourage the use of alternative modes of transport, particularly cycling. Planning conditions or legal agreements will be utilised as necessary to ensure that parking and travel arrangements, such as operating as a

car-free facility, can be effectively enforced as part of a wider management plan for a scheme.

Waste and Recycling

- 3.4.12 All new PBMSA developments should have adequate provision of waste and recycling storage facilities and appropriate arrangements for the collection of such waste. This should be designed in accordance with the Local Government Waste Storage Guide for Northern Ireland (2010)⁵ and the council's Supplementary Waste Storage Guidance for Purpose Built Managed Student Accommodation in Belfast.⁶
- 3.4.13 Developers are advised to liaise with the council's Planning Service and Building Control Service for support and advice at an early stage to help clarify requirements and ensure that a suitable and satisfactory design is achieved.

Open Space/Communal Spaces

- 3.4.14 Criteria d. of Policy RD1 requires that appropriate open space is provided for new residential development and will be applicable for new PBMSA developments given that it is residential in nature. Adequate, quality open space is required within the development to provide recreational and social value.
- 3.4.15 Criteria i-n of Policy RD1 applies to new-build apartment developments over 30 units, in addition to criteria a. to h. Given a minimum of 200 occupants, PBMSA development will be of such a scale to share characteristics with a larger apartment development and so these latter criteria of RD1 will be applicable. This includes management arrangements, communal spaces throughout the development, storage space allocated within each individual unit, storage and disposal of water, provision for safe, convenient and secure cycle parking and communal facilities.
- 3.4.16 Policy OS3: Ancillary open space states that all new development proposals should include appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. A normal expectation would be at least 10% of the total site area, albeit the precise amount, location, type and design of such would be negotiated with the applicant.
- 3.4.17 Policy OS3 seeks to ensure that the provision of open space is integrated into the design for developments and is provided on-site. In this regard, it is important that any open space is safe and accessible, including consideration of opportunities for linkages to nearby facilities, whilst not resulting in any noise or nuisance for local occupiers and residents. It is also important that open space areas are robust and free

⁵ Available from: <https://www.belfastcity.gov.uk/planning-and-building-control/building-control/waste-storage-guidelines#414-1>

⁶ Available from: [https://www.belfastcity.gov.uk/Documents/Waste-Storage-Guidelines/Purpose-Built-Managed-Student-Accommodation-\(PBMSA\)](https://www.belfastcity.gov.uk/Documents/Waste-Storage-Guidelines/Purpose-Built-Managed-Student-Accommodation-(PBMSA))

from encroachment from unplanned or undesirable uses, including for parking, tipping and anti-social behaviour. It is recommended that, in preparing development proposals, early consideration is given to the likely open space needs of occupiers. In accordance with the advice provided for apartment/flat developments in 'Creating Places', private communal open space may take the form of gardens, court yards, patios, balconies, recessed balconies or terraces, depending on the characteristics of the development proposed and surrounding context.

- 3.4.18 PBMSA should consider well designed space around buildings which can add greatly to the attractiveness of a development especially where principles of defensible open space are applied. Communal spaces are also often provided in student accommodation to suit the need of the occupants, which are often in the form of (but not limited to) common areas (spacious lounges, games room, recreational space), fitness area/gymnasium, cinema room, break out rooms, meeting rooms, etc. Applicants should consider function, orientation, maintenance, scale and qualities of proposed communal open space/amenity space (both indoor and outdoor). In some cases it may be necessary to provide a landscape strategy considering the provision of open space and how it meets the needs of all future residents of the development.
- 3.4.19 Where proposals for PBMSA are in an accessible location, close to a higher education institution campus, where potential for the provision of open space is likely to be more limited, small squares or formal spaces should be considered alongside internal amenity spaces throughout the development. In these circumstances it is likely that streetscape, public realm and parking areas may become a focus for improved design.
- 3.4.20 Where concessions are made in open space standards, planning agreements may be sought to ensure provision of open space off-site or to secure funding for the enhancement to existing areas of public open space. In addition, conditions or planning agreements may also be used to ensure the policy requirement for the management and maintenance of any open space provided is secured.

Space Standards

- 3.4.21 As PBMSA has a number of unique features, such as the provision of indoor amenity space and communal facilities, lower unit space standards are acceptable in comparison to other residential development. Nevertheless, it is still important that new PBMSA developments create a quality and sustainable environment for future residents. PBMSA developments are therefore still required to be built in accordance with minimum space standards for HMOs as set out in Appendix C of the Plan Strategy.
- 3.4.22 Whilst the space standards within the Plan Strategy outline basic minimum standards, it should also be recognised that many institutions have standards that would exceed

these levels. However, there are no direct policies which inform the layout of such accommodation.

Internal storage space

- 3.4.23 Whilst there remains a requirement for minimum levels of internal storage space, this could be more flexibly applied to PBMSA development given general concessions accepted on space standards generally. However, to offset these lower general space standards, there is a general expectation that PBMSA will contain greater levels of communal space; more so than would be expected in a private housing development. Furthermore, it is where design features, such as space standards or storage requirements are provided below those of general residential development, the occupancy of PBMSA will usually be conditioned to limit occupation to students, particularly during term times.

Adaptable and accessible accommodation

- 3.4.24 PBMSA developments should seek to incorporate a high level of accessibility and inclusive design and are nevertheless required to comply with the Disability Discrimination Act (DDA) requirements. Provision should therefore be made to ensure a development is accessible to all and that accommodation could be suitable for students with disabilities. This includes not only within individual study bedrooms but also within the accommodation as a whole and along key access routes to and from the site.
- 3.4.25 In addition, Policy HOU7: Adaptable and accessible accommodation sets out a series of criteria to be applied to all new homes to ensure that they are designed in a flexible way that is adaptable and accessible. As PBMSA is residential in nature, Policy HOU7 is applicable. However, given that PBMSA is explicitly targeting students and that the accommodation would not therefore be intended for use throughout an individuals' lifetime, it is accepted that the policy should be applied flexibly.
- 3.4.26 Given the limited need for adaptability throughout an individuals' lifetime, it is not necessary for all units within PBMSA developments to meet all of the 'adaptable' criteria a-f of Policy HOU7. However, there remains a requirement that a minimum of 10% of the PBMSA units to be provided as wheelchair adaptable. This minimum requirement would help to accommodate students with a known disability in the UK and in NI⁷.
- 3.4.27 In relation to the specific criteria, detailed guidance relating to addressing all of the criteria of Policy HOU7 are outlined within the related 'Residential design (including adaptable and accessible accommodation) SPG'. However, specific notes in relation to

⁷ In 2021/22 c. 14% of all higher education students in NI had a known disability. Available from: <https://www.hesa.ac.uk/data-and-analysis/students/whos-in-he#characteristics>

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PBMSA development and the criteria of Policy HOU7 are also provided in Figure 3.1 below:

Figure 3.1: Wheelchair adaptable PBMSA Requirements

| Policy HOU7 Criteria | PBMSA Wheelchair adaptable unit requirements |
|---|--|
| a. Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property | Building Regulations NI, Technical Booklet R requires parking provision to have a firm surface, which is level or gently sloping. Access from any car parking to the principal entrance(s) should also be level, or have a gentle gradient over a long distance. |
| b. Main entrances should be sheltered from the weather | Building Regulations NI, Technical Booklet R requires the area immediately in front of entrance doors to be protected from inclement weather. |
| c. Permanent living space or dining space should be provided within or in addition to a kitchen at entrance level; | An accessible PBMSA unit can be provided either as part of a cluster unit with communal living, dining space and kitchen or as a self-contained room, with bedroom, living, dining and kitchen space in accordance with HMO Space Standards (see criterion g.). In either case, the unit should be provided on a single level. |
| d. Accommodation should provide entrance level WC with space to provide an accessible shower in the future if required; | The PBMSA unit should be on a single level and include an accessible bathroom/shower. |
| e. An accessible bathroom should be provided on the same floor as the main bedroom; and | |
| f. Glazing in the principal living space should be sited to enable outlook when seated. | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. |
| g. A wheelchair accessible environment is provided in accordance with the space standards for wheelchair housing set out in appendix C; | There are no specific space standards outlined for an accessible HMO/PBMSA units either within the SPG or Appendix C of the Plan Strategy. However, where an accessible and adaptable wheelchair PBMSA unit is able to meet the HMO space standards set out in Appendix C of the Plan Strategy whilst demonstrating compliance with the remaining criteria of Policy HOU7, it will also be deemed to have complied with criterion g. of Policy HOU7. |
| h. In-curtilage or designated car parking meets disabled parking standards; | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. |

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| Policy HOU7 Criteria | PBMSA Wheelchair adaptable unit requirements |
|---|--|
| i. Pathways are wide enough to accommodate a wheelchair and have a firm surface, level or gently sloping surface; | Building Regulations NI, Technical Booklet R requires access from the point of entrance at the boundary and from car parking provided to the principal entrance to be level, or have a gentle gradient over a long distance. |
| j. Entrance hallway, kitchen, living, dining area, bathroom and a main bedroom have an unobstructed turning circle; | At a minimum, an unobstructed turning circle of 1500mm should be provided within hallways, kitchens, living/dining areas, bedroom and accessible bathrooms. Within kitchens, there should be a turning circle of 1500mm clear diameter between kitchen units and other fixed objects, with additional space outside of the turning zone to assist manoeuvring throughout. Where a wheelchair adaptable unit forms part of a cluster of units with communal living/dining space and kitchen, the turning circles should be available within all communal spaces. |
| k. Entrances, doorways and halls should be an appropriate width and length allow for wheelchair access; | Building Regulations NI, Technical Booklet R requires accessible entrance doorway to contain a leaf which provides an effective clear width, manoeuvring space in front of the door. An unobstructed turning circle of 1500mm should be provided within hallways should permit a head-on approach to doorways. |
| l. Space should be provided in the entrance area to enable storage of a second wheelchair; | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. Provision for the storage of a second wheelchair should be at least 1100mm deep and 900mm and should not compromise the unobstructed turning circle required within the entrance or hallways. Where a wheelchair adaptable unit forms part of a cluster of units with communal living/dining space and kitchen, the storage space could be provided either within the wheelchair adaptable bedroom or at the main entrance within the cluster unit. |
| m. Space should be identified that is capable of accommodating a future lift accessed off circulation spaces on each floor; | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. This will usually be deemed to have been met if the PBMSA unit is on a single level within a building with wheelchair accessible communal lifts. |

| Policy HOU7 Criteria | PBMSA Wheelchair adaptable unit requirements |
|--|--|
| n. Adequate built-in storage should be provided; | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. This should be separate to wheelchair storage provision (see criteria m. and areas containing boilers and other utility infrastructure. |
| o. Private amenity space shall be level or gently sloping and should incorporate an area of suitable hard surfacing. | Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. Any communal and private amenity space provided should have a firm surface, which is level or gently sloping and access should also be level, or have a gentle gradient over a long distance. |

Supporting information

3.4.28 To allow for the full assessment of the design quality of a proposed development, the following information must be submitted as part of all planning applications for PBMSA developments:

- **Design and Access Statement:** This should explain the design principles and concepts that have been applied to the proposal, taking account of relevant built heritage considerations, especially where proposals fall within a Conservation Area or affect the setting of a listed building. It should include:
 - Site Appraisal;
 - Concept Design;
 - A statement explaining the design objectives for the site;
 - Local design considerations; and
 - The relationship of the proposal to the surrounding context.
- **Landscaping Plan:** This should outline the proposed provision of any landscaped areas, open space or amenity spaces within the overall design concept for the scheme, including future maintenance arrangements required.
- **Transport Assessment Form:** This can be used to help the council and DfI Roads understand the transport impacts of the proposal and how those impacts may be mitigated, to determine whether a full Transport Assessment will be required (see the council's Validation Checklist for more information).
- **Travel Plan:** This should be drafted to actively encourage the use of alternative modes of transport to the private car, particularly cycling, walking and public transport, including justification for any reduction in parking standards to be considered. Issues to be considered, including any potential mitigation measures, should include:
 - Staff and Student travel arrangements (i.e. cycle parking, showers/changing facilities etc);
 - Control of beginning and end of term traffic;

Large scale Purpose Built Managed Student Accommodation (PBMSA)

- Provision of secure cycle parking and links to existing or planned cycle networks;
- Travel packs for students at the beginning of each term (including appropriate routes to and from the higher education institution campus); and
- A Car Parking Management Plan (if parking is to be provided).

3.5 Management

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

- d. The development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impacts from occupants;

Management Plan

- 3.5.1 It is vital that the PBMSA provision is well managed in order to provide a safe and positive living environment for students, whilst reducing the risk of adverse impacts upon residential amenity. A management plan will be required to ensure a quality, safe and attractive place for residents.
- 3.5.2 Planning applications for PBMSA must be accompanied by a **Management Plan** addressing general management arrangements associated with the operation of the building. This should include details of:
- Arrangements for the management and maintenance of the site, including any landscape or amenity space (in accordance with proposed Landscape plan);
 - Travel and transport plans, including the management of parking. This should include measures to improve access and encourage use of sustainable methods of transport, such as walking, cycling and public transport;
 - Servicing arrangements, including housekeeping, cleaning, details of any deliveries required and provision for the storage and collection of waste and recycling;
 - Arrangement for the storage and collection of post and deliveries for residents;
 - Special features to improve the safety and security of students; including, for example, any CCTV provided, adequate lighting, intercoms, etc;
 - Details of any maintenance and servicing programmes, including procedures and timescales for overseeing repairs to property and a programme of both statutory and procedural maintenance and testing requirements, including procedures for emergency light testing, fire alarm testing and equipment maintenance or servicing, portable appliance testing, legionella testing, lift maintenance, window cleaning, etc. Supporting documentation should be provided, including:
 - Health and Safety Policies;

- A Fire Safety Strategy;
- Waste and Recycling Policy;
- Copies of Maintenance Reports and procedures for reporting damage or repairs; or
- A Maintenance Lifecycle Chart, detailing the expected lifecycle of building components.
- Arrangements to ensure the well-being of residents;
- Arrangements for the management of noise and anti-social behaviour, including details of any soundproofing, noise control measures, a code of conduct to govern tenant behaviour and any proposed liaison arrangements with the relevant education institution(s), the council and the PSNI in relation to tenant behaviour;
- Arrangements for the management of periods of reduced occupancy; and
- Any formal accreditation scheme (e.g. ANUK/Unipol or Universities UK) the operator plans to secure for the management of the completed development.

3.5.3 A S76 planning agreement may be required to ensure delivery of proposed management arrangements, such as any formal links to a higher education institution campus or to ensure permanent occupation as student housing. Planning Agreements, and related developer contributions, may therefore be required in relation to PBMSA where management arrangements cannot be adequately addressed by the imposition of conditions alone. See Section 4.3 on use of Developer Contributions for more information. Where an operator is not known at the time of submitting a planning application to council, a draft Management Plan could be accepted as part of the application with a clause included to submit a final management plan, prior to occupation.

Security

3.5.4 Providing details of any special features proposed to improve the safety and security of students also helps strengthen Management Plans. This could include, for example, CCTV, the provision of lighting, intercoms, and arrangements for limiting access for residents, staff and visitors, etc.

Access

3.5.5 Access arrangements should also consider the details of travel to and from the accommodation, including measures proposed to improve access and encourage use of sustainable methods of transport, such as walking, cycling and public transport. This should refer to any Transport Assessments and Travel Plans prepared to support the planning application, clearly articulating how any policies, such as parking arrangements will be communicated to residents.

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- 3.5.6 Specific consideration should also be given to the arrangements for the arrival and departure of students, especially where it is likely that large numbers of residents may arrive or depart on the same day or weekend.

Student Behaviour

- 3.5.7 Details of a student tenancy agreement, including any conditions to ensure that students are responsible in their behaviour to respect fellow residents, neighbours and the building, are vital in assessing the appropriateness of management arrangements for proposed PBMSA. A copy of any information provided to residents, such as a tenant handbook or guide to living in the community, could help support a planning application, providing details of how agreed management arrangements would be communicated to the students, including key contact details and hours of operation, the standard of behaviour expected from occupants, complaints procedures and any disciplinary policies.
- 3.5.8 The management plan should also consider how the landlord will enforce the terms and conditions of the tenancy, including any liaison arrangements with the relevant education institution(s), the council and the police in relation to tenant behaviour. Any such plan could build upon any code of conduct provisions set out by the institution(s) to which the students belong. Consideration should also be given to the establishment of formal mechanisms to liaise between the operator and the local community, including where relevant any business community.

Accreditation

- 3.5.9 As part of management arrangements, developers should commit to securing accreditation under one of government-approved Codes of Standards for the management of PBMSA. This provides assurance to respective tenants that quality standards are being met and re-assures the council that appropriate management arrangements will be in place for operation of a development. This will help to demonstrate compliance with criterion d of Policy HOU12, that provision is made for the management of the accommodation. The Available Codes of Standards are available as follows:
- The Universities UK Code of Practice for University Managed Student Accommodation⁸
 - The Accreditation Network UK (ANUK)/Unipol Code of Standards for Larger Residential Developments for Student Accommodation Managed and Controlled by Educational Establishments⁹
 - The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation NOT Managed and Controlled by Educational Establishments¹⁰

⁸ Available from: www.universitiesuk.ac.uk/acop

⁹ Available from: www.nationalcode.org

¹⁰ Available from: <https://www.nationalcode.org/download-codes>

3.6 Need

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

- e. The development meets an identified need for the type of accommodation proposed, demonstrated through submission of a statement of student housing need.**

- 3.6.1 The Strategic Planning Policy Statement (SPPS) for Northern Ireland expects planning authorities to consider the needs and aspirations of society and to facilitate sustainable housing growth in response to changing need when plan-making and decision-taking. The consideration of need for student accommodation is essential to ensure the right balance is struck between ensuring student housing needs are met and preventing an over-supply of accommodation that may be unsuitable for future use by non-student residents.
- 3.6.2 As PBMSA often involves concessions in relation to normal residential design standards (see Section 3.4 below), it cannot always be readily adapted for permanent occupation should it no longer be required for student occupation. It is therefore important, in accordance with criterion e. of Policy HOU12 that an oversupply of PBMSA in Belfast is avoided, particularly where this is competing for land for permanent housing supply.
- 3.6.3 It is essential to understand the profile of local student demand and the state of current and future accommodation supply to ensure the successful delivery of student housing to meet current and future need, linked to published growth projections of the city's further and higher education institutions.
- 3.6.4 This can be addressed through the preparation of a statement of need within the PBMSA Statement required to support any planning applications for PBMSA, based on known demand and supply indicators at the time within the student housing sector.

Demand

- 3.6.5 Demand for student accommodation is generally considered to be contained within one town or city and is determined by the number of students attending local higher education institutions. General population statistics, including the number of full-time student households are available from the Northern Ireland Statistics and Research Agency (NISRA), whilst information relating to the number of students currently attending HEIs across the UK and the various Northern Ireland institutions are available from the Higher Education Statistics Agency (HESA) and the Department for the Economy's (DfE) websites respectively.

Large scale Purpose Built Managed Student Accommodation (PBMSA)

- 3.6.6 Whilst the level of full-time students, including those from non-EU countries who traditionally prefer PBMSA, is generally considered the key metric of student accommodation demand, within the Belfast context, the number of full-time students does not automatically translate into demand for PBMSA bed spaces. This is due to a number of unique local factors, including:
- A higher proportion of local students studying at Northern Ireland's HEIs, many of whom choose to stay at home whilst studying or with a tendency to commute on a weekly basis, returning home at weekends;
 - A historical preference of first year students in Belfast to live in private rented accommodation with other students whom they already know but who may be attending different HEIs. However, rising rents in the private rented sector may encourage some domestic students to live in purpose-built accommodation in the future; and
 - A low number of students from the rest of the UK study at Northern Ireland's HEIs (2,980 students, or 5.7%).
- 3.6.7 In the 2021/22 academic year, the total UK students which studied in Northern Ireland HEIs was 52,290. However, the majority of these students were from NI (49,310 students, or 94%).¹¹

Supply

- 3.6.8 There are a number of sources of information that can be accessed to assist in the evaluation of existing and future supply of PBMSA. They include:
- Information relating to the existing provision of student accommodation by Belfast's HEIs available from the higher education institution campus' respective websites¹²; and
 - Planning application searches¹³ identifying any relevant planning applications for PBMSA to enable an appraisal of schemes in the pipeline, including developments with planning permission and current applications.
 - Manual survey work may be required to confirm whether developments with planning consents in place are completed or under construction.

Supporting information

- 3.6.9 To allow for the full assessment of need, the **PBMSA Statement** that must be submitted as part of any planning application for PBMSA should provide evidence, as appropriate, to enable the assessment of need, based on known demand and supply indicators at the time within the student housing sector. This should include details of:

¹¹ Available from: <https://www.hesa.ac.uk/data-and-analysis/students/where-from>

¹² [Queen's University Belfast accommodation information](#), [Ulster University accommodation information](#), and [Stranmillis University College accommodation information](#)

¹³ Available from: <https://planningregister.planningsystemni.gov.uk/simple-search>

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- The specific need that is being addressed, with reference to relevant Corporate Plans published by the city's further and higher education institutions;
- Why this need is currently unmet by existing student accommodation stock, implemented and un-implemented planning permissions for PBMSA;
- The type of existing accommodation the potential student occupiers are likely to be drawn from;
- Any recorded increase in student numbers;
- Higher education institution campus support, if available;
- Current waiting lists for student accommodation; and
- Bedspace to student population ratio/percentage comparison to other university cities.

4 Delivery and implementation

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

Planning permission will be subject to meeting all other policy requirements. S76 planning agreements are likely to be required in relation to PBMSA to provide a greater level of certainty in relation to management arrangements.

4.1. Occupancy conditions

- 4.1.1 The regional and local policy approach aims to raise residential design standards and ensure the key principles behind good placemaking are implemented in urban areas. It also recognises the wider economic, cultural and community benefits of achieving excellence in design.
- 4.1.2 PBMSA often involves concessions in relation to normal residential design standards, meaning that it cannot always be readily adapted for permanent occupation should it no longer be required for student occupation. The occupancy of PBMSA will usually therefore be conditioned through the associated planning agreement to limit occupation to students, including international and short-term students outside of term time.
- 4.1.3 Some operators may seek to utilise PBMSA bed spaces to provide short-stay holiday accommodation, which may help contribute towards the viability of the overall development. Such arrangements will be assessed on their own merits on a case-by-case basis but would only be permitted for a specified period of time using occupancy conditions, ensuring this does not harm the tourist accommodation markets and remains subservient to the main function to provide accommodation for full-time students. Details of any such use must be set out as part of the application submission.

4.2. Planning Agreements

- 4.2.1 Planning Agreements, and related developer contributions, may be required in relation to PBMSA where what is secured cannot be adequately addressed by the imposition of conditions alone. SPPS provides the policy basis for planning agreements generally, whilst Policy HOU12 notes that a planning agreement¹⁴ may be required to ensure delivery of agreed management arrangements relating to PBMSA.

¹⁴ *Legal agreements made in accordance with Section 76 of the Planning Act (Northern Ireland) 2011.*

- 4.2.2 There are a number of areas in relation to PBMSA where the council may consider the use of planning agreements, to facilitate or restrict the development and/or use of land or to require land to be used in any specified way (SPPS).
- 4.2.3 The council will usually require a S76 Agreement to secure the Student Management Plan and will endeavour to provide an early indication of the use of particular types of legal agreements/conditions appropriate to the circumstances, taking account of all relevant factors which may impact on the financial viability of the scheme proposed.
- 4.2.4 The council will negotiate and deal with planning obligations in a timely manner, particularly where pre-application discussions on such matters have taken place, and welcome the opportunity to discuss the nature of any agreements with developers at the earliest opportunity.

4.3. Developer Contributions

- 4.3.1 Whilst many planning obligations could be delivered directly by the developer as an integral part of an approved development, some could also take the form of financial payments to the council, particularly where it is necessary for developers to contribute to off-site works either directly or through pooled financial contributions. Where contributions are required, the associated costs will be calculated on a case-by-case basis in an open and transparent manner, taking account of the specific context and up-to-date cost information.
- 4.3.2 For example, contributions towards transport related initiatives could be calculated with reference to the total number of trips a development will generate during peak periods, whilst the level of financial contribution for public realm works or green/open space could be calculated with reference to the type, scale and quality of space to be provided, based on average costs in Belfast for providing or improving open space. For specific capital items, planning obligations will be based on up-to-date average build costs for the specific items required. In all cases, costs will be inclusive of all costs including fees and construction costs.
- 4.3.3 In addition, where the council incurs legal and administrative costs and expenses in preparing, negotiating and settling an Agreement, it may be necessary for the council to require contributions from a developer towards reasonable costs associated with this administration. Depending on the nature of the Developer Contribution, the council will normally require payment of a monitoring fee for monitoring compliance with completed Planning Agreements. Similarly, contributions may also be required to monitor specific elements of an agreement, such as the effectiveness of a Travel Plan. Such monitoring fees will be secured as part of the Planning Agreement and will be expected to be paid on or before the date of commencement of development.

Delivery and implementation

- 4.3.4 To facilitate the timely progress of a planning application, it is important that developers discuss the likely levels of contributions with the council at the earliest opportunity.

4.4. Community Benefit

- 4.4.1 In some circumstances, community benefits may be offered voluntarily by developers to communities likely to be affected by a development. The SPPS notes that this could take the form of payments to the community, in-kind benefits or shared ownership arrangements. However, such 'community benefits' cannot be considered material considerations in decision-taking and are distinct from developer contributions that may be required to enable a development to go ahead.

4.5. Supporting Information

- 4.4.2 To help facilitate discussions in relation to planning agreements and any developer contributions, the council will expect the PBMSA Statement to be submitted as part of a planning application for PBMSA that addresses the issues outlined in the SPG where they are relevant to the particular proposals.

Glossary

Accreditation Network UK (ANUK)

ANUK is a network of professional and organisations that promotes accreditation in private rented residential accommodation. It was formed in response to the increasing popularity of accreditation across the UK May 2002 to publicise, promote and share good practice in accreditation.

BREEAM (Building Research Establishment's Environmental Assessment Method)

BREEAM is an internationally recognised method of assessing, rating, and certifying the sustainability masterplanning projects, infrastructure and buildings. It promotes best practice for all aspects of sustainable property development using independent, licensed assessors to rate developments against scientifically based criteria covering a range of issues in categories that evaluate energy and water use, health and wellbeing, pollution, transport, materials, waste, ecology and management processes.

City Corridors

Key routes into and out of the city, typically characterised by a mix of uses fronting onto a busy road, some passing through important Local Centres.

Code for Sustainable Homes

The Code for Sustainable Homes is a UK national method for rating and certifying the sustainable design and construction of new homes. It covers nine categories of sustainable design including energy and CO2 emissions, water, materials, surface water run-off, waste, pollution, health and well-being, management and ecology.

Disability Discrimination Act (DDA)

Disability Discrimination Act 1995 is an Act to make it unlawful to discriminate against disabled persons in connection with employment, the provision of goods, facilities and services or the disposal or management of premises; to make provision about the employment of disabled persons; and to establish a National Disability Council.

Higher Education Institutions (HEIs)

Universities, colleges and further education institutions offering and delivering higher education.

Glossary

Higher Education Statistics Agency (HESA)

HESA, the Higher Education Statistics Agency collect, assure and disseminate data about higher education (HE) in the UK on behalf of their statutory customers. They work with HE providers in each of the four nations, collaborating with them to collect and curate one of the world's leading HE data sources.

House in Multiple Occupation (HMO)

A house in multiple occupation is a property rented out by at least 3 people who are not from 1 'household' (e.g. a family) but share facilities like the bathroom and kitchen.

Housing Management Areas (HMAs)

Areas designated under Policy HOU10 in which certain types and sizes of housing, including HMOs and conversions to self-contained flats through the sub-division of larger residential units, will be carefully managed to help to meet the diverse needs of all the community.

Intensive Housing Node (IHN)

Areas which seek to prioritise locations with good sustainable transport connectivity and strong access to employment and educational opportunity, such as appropriate locations within the city centre, local centres, close to rail stations or halts and on city corridors. Intensive housing nodes will be designated within the Local Policies Plan (LPP).

Management Plan

A Management Plan addresses general management arrangements associated with the operation of the building.

Northern Ireland Statistics and Research Agency (NISRA)

NISRA is an Agency of the Department of Finance. NISRA is the principal source of official statistics and social research on Northern Ireland. These statistics and research inform public policy and associated debate in the wider society.

Pre-Application Community Consultation (PACC)

A statutory requirement for specific community consultation that prospective applicants must undertake with communities for certain types of development. Development proposals fall into three categories – regionally significant, major and local. All application for regionally significant or major developments submitted on or after 01 July 2015 must comply with the PACC process. Pre-application consultation does not replace the opportunity, or remove the need, for communities and individuals to make formal comments on proposals during the planning application process.

**Pre-application
Discussion (PAD)**

A service offered by the council prior to lodging a planning application to give a better chance of getting planning permission. A PAD should improve the quality of the proposal, reduce the time it takes to determine the application, and give peace of mind that you are on the right lines before making a planning application. There may be a fee for this service.

**Proposal of Application
Notification (PAN)**

For major development proposals, developers are required to submit a 'Proposal of Application Notice' 12 weeks before submitting a formal planning application, explaining how they will engage with the local community. The council then has 21 days to consider the proposal and can either confirm their acceptance of the proposal or direct the applicant to modify their approach.

**Purpose Built Managed
Student Accommodation
(PBMSA)**

PBMSA is accommodation that is built, or converted, with the specific intent of being occupied by students undertaking a full-time course of higher or further education – either individual en-suite units or sharing facilities. The inclusion of the word 'managed' highlights the importance of such accommodation being centrally supervised by the developer/landlord to provide welfare support for students and to ensure compliance with any code of conduct or tenancy agreements, etc.

**Regional Development
Strategy (RDS)**

The spatial strategy of the Executive, which sets out policies for the delivery of the spatial aspects of the Programme for Government. It provides an overarching strategic planning framework to facilitate and guide the public and private sectors, influencing the future distribution of development throughout the Region.

| | |
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| Strategic Planning Policy Statement (SPPS) for Northern Ireland | The SPPS is a statement of the Department of Environment's policy on important planning matters that should be addressed across Northern Ireland. It identifies the objective of the planning system as being to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Its provisions must be taken into account in the preparation of Local Development Plans (LDPs) and are material to all decisions on individual planning applications and appeals. |
| Statement of Community Involvement (SCI) | The requirement to produce a Statement of Community Involvement (SCI) was introduced in the Planning Act 2011. The Planning (Statement of Community Involvement) Regulations (Northern Ireland) 2015 sets out the process by which this should be done. |
| Student Accommodation | A generic term that covers all forms of housing suitable for occupation by student, including both HMOs and PBMSA. |
| Sui Generis | A Latin phrase literally meaning "of its own kind; in a class by itself; unique". It is used in planning to refer to developments that do not fall within a specific class of the Planning (Use Classes) Order (NI) 2015. |
| Supplementary Planning Guidance (SPG) | Guidance to support, clarify and/or illustrate by example planning policy statements and plans. This can take the form of design guides or guides prepared for Conservation Areas and the suite of DCANs. Where relevant to a particular development proposal supplementary planning guidance will be taken into account as a material consideration in making decisions. |
| Unipol | ANUK/Unipol Code of Standards for Larger Residential Developments for student accommodation managed and controlled by educational establishments. The Code establishes a set of management standards for all residential developments managed and controlled by educational establishments (with the exception of head leased properties) and specifies appropriate controls to ensure that the particular needs of students are delivered effectively. |



Belfast Local Development Plan

PBMSA SPG Consultation – Representations report

January 2025

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Introduction



1.1 Purpose of this report

- 1.1.1 This report details the engagement process undertaken in preparing and consulting on the proposed Purpose-Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG)¹. It outlines the results of this process, including a summary of the key issues raised through representations in relation to the draft SPG. It provides an indication of the Council's view in relation to the key issues in representations made in respect of the SPG consultation.

1.2 Background to the consultation

- 1.2.1. On 2 May 2023, as part of the process of developing the new Local Development Plan (LDP) for Belfast, the Council formally adopted the Plan Strategy (PS). In progressing work towards the adoption of the PS the council consulted on a suite of 17 SPG documents to support the implementation of the adopted PS.
- 1.2.2. This SPG represents non-statutory planning guidance that supports, clarifies and/or illustrates by example, policies included within the Belfast LDP. The information set out in the SPG should also be read in conjunction with the LDP Plan Strategy (May 2023). These initial 17 SPG were adopted alongside the PS in May 2023 and can be found on the council's website: www.belfastcity.gov.uk/LDP
- 1.2.3. Following adoption of the PS, the Council have now updated the PBMSA SPG produced in 2016, to ensure it is in line with updated Policy HOU12 of the PS.

1.3 Overview of the consultation process

- 1.3.1. The Council's Statement of Community Involvement sets out its policy for involving the community in the production of the LDP, describing who, how and when the community will be invited to participate in the different states of the LDP formulation. Section 6.1 of the Statement of Community Involvement informs that SPG will be published for consultation and comment prior to publication of the final draft, with comments received published on the Council's website.

Consultation

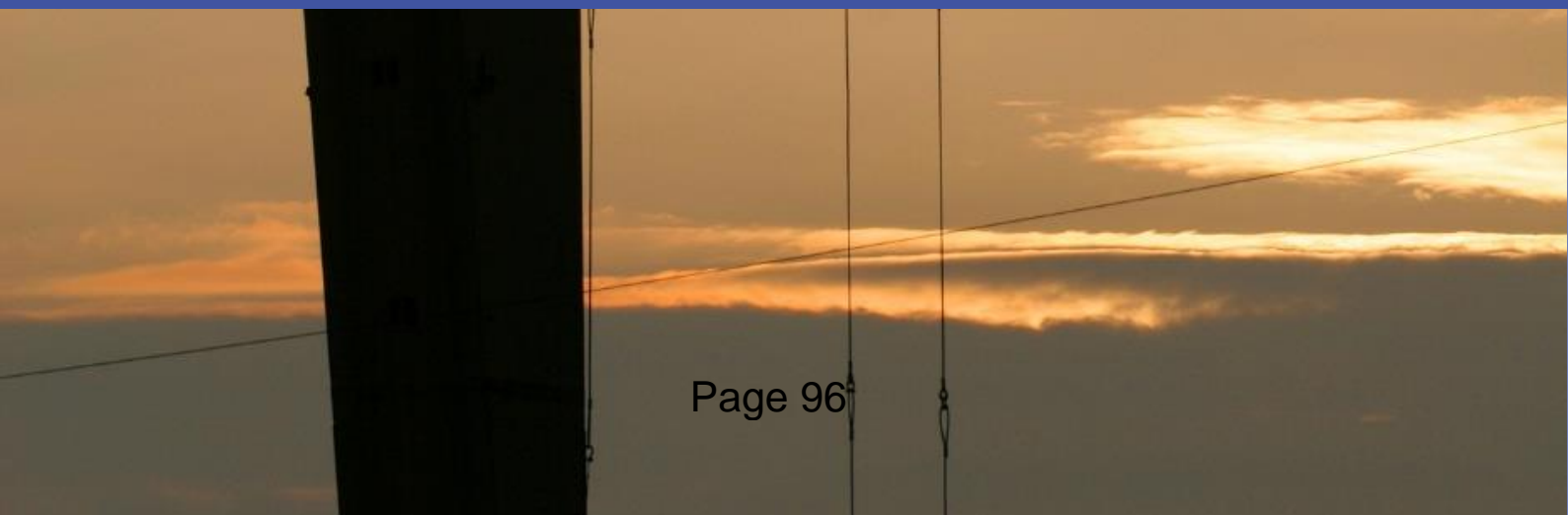
- 1.3.2. As part of the consultation process a public notice relating to the SPG was issued in September 2024, appearing in the following newspapers:
- [Newsletter \(6 September 2024\)](#)
 - [Irish News \(6 September 2024\)](#)

¹ SPG represents non-statutory planning guidance, intended to be read in conjunction with the existing planning policy framework, most notably the Strategic Planning Policy Statement (SPPS) for Northern Ireland and the Belfast Local Development Plan Strategy. SPG are intended for use by developers, the public and by planning officers to support the assessment and delivery of planning proposals.

- [Belfast Media Group Titles - Andersonstown News \(14 September 2024\)](#).
- 1.3.3. The formal consultation period commenced on Thursday 29 August 2024 and closed on Thursday 21 November 2024 at 5pm. An online consultation survey (and accompanying hard copy survey form) was made available during this period for the receipt of representations.
- 1.3.4. The survey was accompanied by a full range of consultation materials, made available to view and download online via the Council's website and were available for inspection at the main reception in Belfast City Hall during normal opening hours.
- 1.3.5. All of the consultation materials remain available for inspection on the LDP pages of the Council's website.
- 1.3.6. A copy of all newspaper adverts is included in Appendix B.



Overview of Responses



2.1 Summary of responses received

- 2.1.1 A total of 4 representations were received during the consultation period for the draft SPG. The respondents are categorised as individual (2)², an educational body (1) and private sector (1). The private sector response was a joint response by three planning consultants. They are listed at Appendix A.
- 2.1.2 There were a range of positive comments received about the SPGs in terms of their clarity and intent and there were proposals for a number of minor changes, many of which have been incorporated into the final SPG document. There was general support for the preparation of a revised SPG following the adoption of the Plan Strategy in May 2023, which will supersede the 2016 PBMSA SPG. Comments welcomed the recognition given to the significant contribution made by students studying and living within the city to the local and regional economy and recognition to the need for PBMSA to be well planned/designed, appropriately located and properly managed.
- 2.1.3 A number of more significant comments were made in respect of the understanding of an Established Residential Area (ERA), including requests for greater clarity around criterion a. of Policy HOU12. Several paragraphs on ERAs were re-worked to clarify the intent of criterion a., in that it is a locational test rather than an impact test.
- 2.1.4 There was general support for the requirement for a management plan, while minor adjustments have been made to the SPG to ensure the guidance is in-line with current practice. A mixture of comments were also submitted in relation to the flexible application of design Policies HOU7, RD1 and OS3 to PBMSA development.

2.2 Approach to analysis of responses

- 2.2.1 The consultation response form was designed to provide an appropriate format for accurately capturing respondent views in relation to the PBMSA SPG. However, the majority of respondents chose not to utilise the form when submitting their response. Therefore, to aid analysis of the responses, the Council undertook an initial review of each submission to ascertain to which section of the SPG the responses related.
- 2.2.2 In the following sections of this report the main issues raised in relation to the SPG have been summarised and responded to, including the Council's justification where revisions have been made or otherwise.

² Figures in brackets denote the number of respondents within each category classification.

Council response to key issues raised



Purpose Built Managed Student Accommodation (PBMSA)

Summary of Responses

Four (4) respondents made representations in respect of the PBMSA SPG. Of the comments submitted:

- There was **support** for Policy HOU12, and also for the preparation of an up-to-date PBMSA SPG;
- Comments welcomed the recognition that students make a significant contribution while studying and living within the city to the local and regional economy and recognises the **need for PBMSA** to be well planned/designed, appropriately located and properly managed;
- Several comments sought further clarity in the **definitions** of certain terms used throughout the SPG; including but not limited to *interested parties* and *sustainability of an ERA*;
- One comment raised concern over defining **accessibility** to a higher education institution campus (HEIC) weighted against the balance of **over-concentration** of PBMSA development;
- Numerous comments related to **Established Residential Areas (ERAs)** and requests were made to map the existing ERA's in Belfast;
- One comment noted the boundary of a university campus is often expansive and difficult to define;
- Further explanation was requested in relation to **HOU12 policy tests** namely how to establish if a site is, or is not within an ERA;
- Comments related to **cumulative impact**, **land use** and **design**, including comments of unattractive new builds;
- A comment questioned the **space standards** within criterion c. of Policy HOU12;
- Comments questioned the negative tone of the dSPG relating to **parking and cycle provision** within a PBMSA development;
- There were mixed reviews of guidance on **Policy HOU7**. While some welcomed the flexible approach to provide adaptable accommodation in PBMSA development, another queried its relevance;
- One comment queried the relevance of **Policy OS3** providing open space in PBMSA developments;
- There was a general consensus that **management plans** are required and very useful for PBMSA developments, while a few comments sought minor adjustments to the text in the SPG on this section;
- One comment noted that the market would regulate itself regarding the **need** for PBMSA development, while another comment praised the Council's approach to benchmark Belfast against other UK university cities in relation to the ratio of student numbers to bedspaces;
- One comment requested Council release and maintain a publicly available record relating to **current/future levels of PBMSA** development;

Council response to key issues raised

- A comment noted a **subservient use** can be utilised in PBMSA development, all year, not limited to outside term time;
- Issues were raised around discrimination against small business class, foreign investment not regarding Belfast local economy, the **consultation process**; and
- Some comments raised minor issues such as formatting queries and suggested wording updates.

Main Issue(s) raised by respondent(s) and Belfast City Council's response

| Main issue | Council response |
|---|---|
| Support | |
| Welcomes the preparation of an up-to-date SPG for PBMSA following the adoption of the Belfast Local Development Plan: Plan Strategy 2035 (PS 2035) in May 2023. | Support for revised SPG welcomed. |
| Welcomes the recognition given in PS 2035 to the significant contribution made by students studying and living within the city to the local and regional economy and recognises the need for PBMSA to be well planned/designed, appropriately located and properly managed. Also welcomes the recognition given in PS 2035 to the contribution that PBMSA can make to increasing the residential population in the city centre. | Welcome support for the contribution that PBMSA can make to increasing the residential population in the city centre. |
| That the Council will negotiate and deal with planning obligations in a timely manner is welcome, particularly in the context where pre-application discussions have taken place on a proposal. | Welcome comments on PBMSA proposals going through PAD process and subsequently, a planning decision being issued in a timely manner. |
| Welcome the inclusion of a PBMSA Statement. It would be helpful to clarify if this is required at PAD or Full application stage. | A PMBSA Statement is required to be submitted along with the full planning application. However if an applicant has this prepared at the PAD stage, then it is welcomed at this earlier stage in the process. |
| Definitions | |
| The definition of ' <i>interested parties</i> ' as including those who stand to ' <i>gain or lose</i> ' from a planning proposal or decision is somewhat simplistic and potentially unhelpful. | Footnote 3 to be revised to read as follows; <i>Interested parties may include, people living within the area/neighbourhood, elected representatives, voluntary groups, community forums/groups/umbrella organisations, environmental groups, residents' groups, business interests and developers/landowners.</i> The list is taken from paragraph 3.2 of the Statement of Community Involvement (SCI). |
| No reference to BCCRIS, which seeks to increase the residential population in the City Centre, including "appropriate student housing" in "suitable locations." | BCCRIS definition to be removed from glossary. It was included in previous version of the SPG, however as superseded by the PS it has been removed from the glossary, given there is no reference to BCCRIS in the body of the revised SPG. |
| "PBSA" developments vs "PBMSA" developments? We are seeing some planning applications coming through as both and would benefit from guidance on differentiating between the two. | The document references PBMSA (Purpose Built Managed Student Accommodation) consistently throughout, which emphasise the importance of the development being managed. |

Council response to key issues raised

| Main issue | Council response |
|--|--|
| | Sometimes an applicant may reference PBSA in an application description, but the acronym used make no difference in the application of policy. |
| SPG references "higher education campuses" (paras 1.2.4 and 3.4.19) in Northern Ireland.... <i>"Higher education campuses in Northern Ireland includes Queen's University Belfast, The Open University, St Mary's University College, Stranmillis University College and Ulster University."</i> This should be amended to make specific reference to "further education colleges" (as per NI Direct website Universities and colleges in Northern Ireland nidirect). | <p>Policy HOU12 criterion a. refers to 'higher education Institution campuses' while the 2016 PBMSA SPG uses the wording 'higher education campuses', as does HESA, an online source who publish higher education statistics.</p> <p>Para 1.2.4 is an introduction to HESA whose data are included in the statistics quoted in the following paragraphs. The list of institutions within this paragraph is therefore an statement of fact as to which data is included within the HESA statistics, which does not include any further education colleges, and has therefore not been updated.</p> <p>Other references throughout the document, such as the one within the dSPG paragraph 3.4.19 will be changed to refer consistently to "Higher Education Institution Campus (HEIC)" which is the wording used in the HOU12 policy. The definition for HEIC within the Glossary already includes reference to further education institutions.</p> |
| Accessibility | |
| Welcoming the approach to ensure accessibility to higher education institution campuses. | Support welcomed. |
| The Council should be mindful of the tension between accessible 'areas' around a campus and the caution in the SPG around an overconcentration of PBMSA development | Point noted as Council understand there is a tension and the SPG aims to strike a balance in regard to accessibility and overconcentration of PBMSA development. SPG flags both accessibility and overconcentration of PBMSA development as separate issues which need to be considered for any scheme. |
| University campus areas are relatively expansive. It is difficult to define the boundaries of the campus, and consequently, accurately measure the 1,200m distance from these areas. Mapping of these areas would allow for greater certainty. | As noted by the respondent, HEIC buildings/campuses can be relatively expansive and may change over time. The 1,200m proximity guidance is intended to provide a general indication of accessibility, rather than a definitive measurement and there is therefore no need to map these areas. Instead, PBMSA schemes can help to demonstrate overall accessibility to existing |

| Main issue | Council response |
|---|--|
| | HEICs with reference to the general proximity, as well as public transport infrastructure, etc. |
| Expect Council will consider existing land use, cumulative impacts of PBMSA and accessibility to third level institutions by sustainable transport needs, when defining Intensive Housing Nodes (IHN) in the LPP. | Intensive Housing Nodes (IHN) will be identified in the Local Policies Plan (LPP) which is yet to be published. The Council will consider many factors including accessibility to services and educational institutions when determining IHN's. |
| Established Residential Areas (ERAs) | |
| The definition of an ERA should be included within the Glossary to the dSPG with an accompanying footnote to state that there is no geographic delineation of ERAs within planning policy. | The SPG is designed to be read in conjunction with the Plan Strategy and it is made clear within the SPG that an ERA is defined in Appendix B of the PS. It is noted that the definition of an ERA is considerably longer and more complex than other definitions contained within the SPG definition, so could not be easily replicated within the glossary. |
| <p>Appendix B of the Plan Strategy is in place to provide definition for an ERA. This confirms that the purpose of an ERA is to protect the character of such areas. Appendix B does not seek to 'protect existing residential communities from unacceptable impacts', it is in place to protect character. This goes back to the Addendum to PPS7: Safeguarding the Character of Established Residential Areas which sought to protect areas from inappropriate development which included an analysis of density as a contributing factor to potential harm.</p> <p>An "area" is defined as a specific geographical region or space or particular function, which is measured in terms of its size, extent or characteristics. It is conflicting to say an ERA does not have a geographic delineation when it is an area with set characteristics included. Leaving it to a subjective assessment provides no certainty for development coming forward.</p> | <p>Appendix B is a definition to help determine where an ERA is, and the policy to be applied to any such ERA varies depending on which policy is referencing Appendix B. In Policy RD1 the reference to Appendix B is a character test, whereas in Policy HOU12 the reference to ERA is a locational test, asking whether a site is within an ERA or not. PPS7 no longer applies and has been purposely changed.</p> <p>ERAs will change over time as the city further develops. To try and embed precise geographic delineations for such areas into planning policy, with a 15-year time span, could reduce the reliability and flexibility. Instead, the approach taken in the PS to provide a definition for determining an ERA on a case-by-case basis allows for greater longevity and certainty.</p> |
| This section of the SPG is profoundly negative towards PBMSA development, creating a pessimistic undertone and failing to acknowledge the benefits that PBMSA development can have in terms of supporting local services, bringing | The SPG as a whole attempts to strike a balance between the benefits of student accommodation and the need to manage potential negative impacts associated with such developments. For example, paragraph 3.2.8 of the dSPG is highlighting potential impacts of PBMSA which could be harmful to |

Council response to key issues raised

| Main issue | Council response |
|---|--|
| vibrancy to the city centre and increasing the residential population of Belfast. | <p>the sustainability of an ERA and, although this may be perceived as overly negative, the dSPG states in introducing this in the previous paragraph, <i>that high-quality PBMSA can make a positive contribution to the local environment, supporting regeneration through renewal of vacant/derelict sites and boosting local populations to sustain facilities and amenities.</i></p> <p>However, given the feedback provided regarding the overall tone of this section, paragraphs 3.2.6 to 3.2.18 of the draft SPG have been fundamentally re-written to help provide greater clarity in terms of the fundamental policy test in criterion a. of Policy HOU12; namely whether a site is located within an ERA, or not.</p> |
| The 'sustainability' of an ERA must be defined in the SPG to understand what applicant's need to consider when bringing forward an application. | As noted above, this section of the SPG has been fundamentally re-worked to provide greater clarity. As part of this, reference to the 'sustainability' of an ERA has been removed, so no formal definition is required. |
| Paragraph 3.2.9 underestimates the value of management plans. | <p>Paragraph 3.2.9 of the dSPG was not intending to undermine a PBMSA management plan, but rather was trying to explain that a management plan cannot always address all issues, and in the day-to-day operation, some pressures may still remain given the high-density form of development.</p> <p>Management arrangements create a significant difference between PBMSA and students living in the more traditional form of student accommodation in the private rented sector. However, even with effective management, PBMSA has many distinct characteristics that distinguish them from smaller-scale housing and raise many different planning issues from other forms of housing that can have significant implications for the orderly and consistent development of the City.</p> <p>For clarity, this section no longer references management plans, with Section 3.5 of the SPG remaining as the main source of additional guidance in relation to the use of management arrangements in PBMSA development.</p> |

| Main issue | Council response |
|---|---|
| <p>Further explanation required in relation to the note <i>'surrounded on more than two sides by residential uses'</i> in paragraph 3.2.13. This attempts to create a policy test that goes beyond HOU12 whilst attempting to define an ERA beyond Appendix B. There is much more to understanding the extent of an ERA than it being surrounded on more than two sides by residential properties. If that were the case then surely the council could identify the areas on a map. However, it is noted that criterion a. of Policy HOU 3, an important policy, refers to <i>'surrounding residential uses'</i>.</p> | <p>Paragraph 3.2.13 of the draft SPG (now paragraph 3.2.9) has been added to and amended to address this point and provide greater clarity. It now draws more extensively on the wording to the Appendix B definition, whilst retaining broad guidance regarding the surrounding context of a site. However, paragraph 3.2.10 of the SPG continues to acknowledge that whether or not a site falls within an ERA must be judged on a case-by-case basis. This strikes a better balance between providing more practical guidance to elucidate the policy, without introducing any additional policy 'tests'.</p> <p>For additional clarity, the references to Policy HOU3: Protection of residential stock in paragraph 3.2.12 of the draft SPG have been re-phrased and moved to paragraphs 3.2.15-3.2.16 of the SPG, to provide clarification on the relevance of this policy to PBMSA development.</p> |
| <p>An analysis of the impact as requested in paragraph 3.2.18 (supporting information) is not addressing any policy test and has not been a consideration in PBMSA development to date, for that reason. It is completely misplaced to seek to introduce this as a requirement through guidance.</p> | <p>Although part of the reasoning for the locational test for PBMSA not being located within an ERA includes the impact of the proposed development, this section of the SPG has been revised, as outlined above, to clarify that the policy test contained within criterion a. of Policy 12 is not an impact test. The requirement for supporting information contained within this section has therefore also been revised accordingly.</p> |
| <p>The Council should consider the application of this part of the policy within the city centre which is one area where the Plan Strategy wants to increase density. This runs contrary to that and to the pattern of PBMSA development to date.</p> | <p>As noted, the PS does seek to support high density residential accommodation in appropriate locations within the City Centre. For example, Policy SD3 City Centre seeks to support new economic and residential development to create a compact and vibrant city centre and notes that the 'Innovation District' should seek to build on the Ulster University city campus investment to promote the development of a lively mixed-use district to secure employment and residential opportunities for graduates and entrepreneurs.</p> <p>The SPG recognises at paragraph 3.2.3 that PBMSA is likely to be desirable in a highly accessible location such as the city centre, but also acknowledges that other locational factors need to be considered, such as</p> |

Council response to key issues raised

| Main issue | Council response |
|---|--|
| | established residential areas, other zonings and designations or the protection of the Retail Core. As with all planning decisions, a number of competing factors often have to be held in tension when reaching a decision on a case-by-case basis. |
| Cumulative impact | |
| <p><i>The cumulative impact of PBMSA developments outside of residential areas or within the City Centre may lead to an over-concentration relative to other land uses in a specific locality...</i> and that <i>'this will be considered on a case-by-case basis...'</i>. It is noted that this approach is emphasised in 3.2.17 the dSPG and is, it is considered, a sound approach.</p> <p>In that context, the statement in para 3.2.15 related to <i>'ensure the balanced communities are achieved'</i> could be re-phrased to <i>'ensure that the impact on existing communities is carefully assessed'</i>. In the absence of the definition of a balanced community in the dSPG it is unclear how a balanced community might be achieved.</p> | <p>Support welcomed on assessing potential PBMSA development on a case-by-case basis.</p> <p>Comment taken on-board and will be formally factored into SPG paragraph 3.2.12 (previously paragraph 3.2.15), which will read; <i>For PBMSA development, consideration will be given to the cumulative impact of PBMSA, to ensure that the impact on existing communities is carefully assessed.</i></p> |
| Paragraph 3.2.17 has no policy basis in the Plan Strategy and no evidence is provided to substantiate this statement. It creates nothing but uncertainty to future development. The council must consider how this sits with a policy criterion that is seeking to concentrate PBMSA within a prescribed distance from a higher education campus. | Paragraph 3.2.14 of the SPG (previously paragraph 3.2.17) which has been reworded. |
| Land Use | |
| The draft SPG identifies how PBMSA is residential in nature yet it is also not an appropriate use on zoned residential land. The LDP in its wholly adopted form can safeguard potential future residential development opportunities and sites. The SPG cannot act as a safeguard in the interim position. | The reference to safeguarding zoned residential land in the dSPG paragraph 3.2.13 was provided in the context of the wider LDP objective of safeguarding future residential development opportunities and alongside Policy HOU3: protection of existing residential accommodation. Although it is recognised that PBMSA is residential in nature, planning legislation acknowledges PBMSA is a more intensive land use, and so is a 'sui generis' use class. Given the need to protect existing residential accommodation and the LDP requirement to identify and zone a supply of housing land that is sufficient to meet the population growth |

| Main issue | Council response |
|---|---|
| | projections for the Belfast district, PBMSA may not always be appropriate on zoned housing land. Nevertheless, as noted above, this section of the SPG has been revised to provide greater clarity. |
| Design | |
| Ballooning of such ugly new-builds in some cases overshadowing beautiful Victorian, Georgian or Edwardian architecture, e.g. Bradbury Place. | Paragraph 3.4.2 of the SPG makes clear that the nature, layout and design of proposed schemes should be appropriate to the location and context and should not result in an unacceptable impact on local character, environmental quality or residential amenity. Further to this, criterion a. of Policy HOU12 states ' <i>is not within an established residential area</i> ' ensuring there is no detriment to existing, established communities. |
| If it were the case that 30 units was the same as 200 occupants, then that should have explicitly been set out in the Plan Strategy. This guidance is not the place to add this as a policy test. | Paragraph 3.4.15 of the SPG has been reworded for clarity purposes. It is not stating that 30 units (apartments) is the same as 200 student occupants. It is suggesting that a PBMSA development, which under criterion b. will have a minimum of 200 occupants, would be of such a scale as to share characteristics with a larger apartment development. |
| Policy OS3 ancillary open space has not been recited in full, which misses the clear differentiation between open space (for all new development proposals) and public open space. There is no requirement within Policy HOU12 or OS3 for the provision of public open space for PBMSA development. | <p>Policy OS3 will be applied flexibly to PBMSA development. The Council is not encouraging balconies, but listing possible ways of providing open space dependant on the context of a development site with reference to regional guidance provided in Creating Places.</p> <p>Paragraph 3.4.17 of the SPG reads; <i>In accordance with the advice provided for apartment/flat developments in 'Creating Places', private communal open space may take the form of gardens, court yards, patios, balconies, recessed balconies or terraces, depending on the characteristics of the development proposed and surround context.</i></p> <p>Therefore, Council recognise open space will be varied depending on the development site, size and surrounding context.</p> |
| Space Standards | |
| Complying with criterion c. of HOU12 only requires you to meet the requirements of Appendix C of the Plan Strategy, nothing more. | Criterion c. of Policy HOU12 is concerned with a quality residential environment, which includes a requirement to meet the space standards for HMOs as set out in Appendix C. |

Council response to key issues raised

| Main issue | Council response |
|---|---|
| Appendix C does not specify what should be included within the space and provides no guidance on amenity space size, design quality, parking, waste and recycling etc. | In addition, PBMSA development has to meet requirements of a range of PS policies including a number that relate to the design of residential development. Section 3.4 of the SPG therefore seeks to address all of these things collectively under the requirement to provide a quality residential environment. |
| Parking/cycle provision | |
| The specific characteristics of PBMSA developments, both in their nature and location, should be car-free. In this context, the description that the provision of PBMSA without any parking provision as a 'risk' because it could lead to increased demand for on-street parking is inappropriate. The 'risk' of PBMSA without any parking provision should be replaced with a section on the 'benefits' of PBMSA without any parking provision. | As suggested, Paragraph 3.4.10 of the SPG has been reworded to remove 'risk' and have a more positive tone. |
| Accessibility requirements should extend to cycle parking provision, which should also meet the accessibility requirements and comply with DDA to ensure disabled cyclists can easily access and store their bikes. The SPG should make reference to the preferred guidance i.e. LTN 1/20 and 'Wheels for Wellbeing. | Specific guidance on the provision and design of cycles storage is relevant for all residential developments and is already provided within the Residential Design SPG, which reads; <i>Storage for cycles should be in a location convenient to all users and routes to the cycle storage should have level access and adequate illumination to allow for safe passage.</i> There is therefore no need to replicate such guidance specifically within the PBMSA SPG. |
| Paragraph 3.4.11 suggests that a Transport Assessment (TA) and Travel Plan (TP) are provided to support PBMSA developments. The SPG does not refer to the completion of a Transport Assessment Form (TAF) to understand the transport impacts of a development. | As suggested, paragraph 3.4.11 of the SPG has now been revised to align with current practice and the Council's draft Planning Application Validation Checklist. This now refers to the use of a Transport Assessment Form to help establish if a detailed Transport Assessment is required. The list of supporting information under paragraph 3.4.28 of the SPG has also been amended accordingly. |
| Adaptable accommodation | |
| It is agreed, as noted in para 3.4.25, that the policy should be applied flexibly as PBMSA accommodation is not intended for use throughout an individual's lifetime. | Welcome support on adaptable accommodation for students. |
| The application of Policy HOU7 is misplaced. It clearly refers to 'new homes' in the policy. This is not applicable to PBMSA development. | Paragraph 3.4.25 of dSPG states; <i>As PBMSA is residential in nature, Policy HOU7 is applicable. However, given that PBMSA is explicitly targeting students and that the accommodation would not therefore</i> |

| Main issue | Council response |
|--|---|
| | <p><i>be intended for use throughout an individuals' lifetime, it is accepted that the policy should be applied flexibly.</i></p> <p>Both Policy HOU7 and RD1 refer to residential developments, and therefore will both be applied flexibly to PBMSA proposals, which is residential in nature. Most of the PBMSA developments will meet the Policy HOU7 requirements as per Building Regulations.</p> |
| Management plans | |
| The critical importance of a PBMSA Management Plan is fully recognised. However, it is considered that the dSPG should focus on the critical elements of a Management Plan rather than the prescriptive detailed list set out in the dSPG. | <p>A definition for a Management Plan has been added to the Glossary.</p> <p>The list is not intended to be prescriptive or exhaustive but does help to clarify what would be required to address this policy requirement and has therefore been retained in the final SPG.</p> |
| While it is welcome to acknowledge fluctuations in the student residential population outside of term time, it would also be helpful if PBMSA applications addressed how periods of reduced occupancy will be managed to prevent negative impacts on the surrounding area. | Point acknowledged and will be included as an additional bullet point in SPG paragraph 3.5.2. |
| The guidance needs to reflect that at the point of making an application, an end operator may not be known. However, it is common for a final management plan to be submitted to the council for agreement. That will include that the operator is or becomes accredited within one year of occupation. | Paragraph 3.5.3 of the sPG has been reworded to reflect the fact that an operator may not be known at the time of submitting a planning application to Council, with a clause included to submit a final management plan, prior to occupation. |
| PBMSA development have the requirement for greater levels of engagement with the local community, coordinated by their management teams and secured through legal agreements. This supports community cohesion and engagement with local community and student residents. However, we disagree that there should be direct engagement between students and the local community, but rather, if liaison is to take place, this should come from the operator/management of the PBMSA. | Paragraph 3.5.8 of the SPG has been reworded to clarify that the formal engagement should be co-ordinated through the operator, rather than the students themselves. |
| Need | |
| The market will decide if there is a need for further PBMSA development. BCC | Whilst the market should regulate itself in terms of PBMSA delivery, the LDP as a whole seeks to seek to address current and future |

Council response to key issues raised

| Main issue | Council response |
|---|---|
| should recognise that the industry will regulate itself if demand is not there. | residential needs by ensuring sufficient land is made available to meet all future housing requirements and Policy HOU12 requires an assessment of need for the type of accommodation proposed. Therefore information is required on the profile of local student demand and the state of current and future accommodation supply to ensure the successful delivery of student housing to meet current and future need. |
| To support planning applications, Councils should make information pertaining to current or future levels of PBMSA development available publicly upon request. This would involve the Council, maintaining a record and it would inform those wanting to come forward with PBMSA development. | The Council monitors PBMSA developments which have been completed since 2015 on an annual basis, including those developed, under construction, with planning approval, pending approval, and those refused planning permission, etc. This information will be made publicly available via an online map viewer when the revised PBMSA SPG is formally published. |
| The universities are often unwilling to share the information they hold on accommodation needs. This can make it difficult to understand the baseline and future trends. If university or financial institution support cannot be provided, it should not be assumed that there is no need for a development. | The list does state university support, if it is available. Therefore, it would not be considered necessary. |
| The Council should continue the approach of comparing Belfast to other major university cities in the UK | Council agrees this is a valid way of considering the need for PBMSA developments. This is acknowledged under paragraph 3.6.9 of the SPG. In recent consultation responses on proposed PBMSA development in Belfast, the Council has made comparison to other UK cities, and compared student numbers to bedspaces, to gauge market saturation. |
| Bank funding will often be dependent on planning permission being granted so it would not be possible to submit this information during the planning application process. This is not a prerequisite for planning, and therefore this reference should be removed. | The PBMSA Statement relating to the assessment of need will be revised to remove this point from the list under paragraph 3.6.9 of the SPG. |
| Subservient Use | |
| The use of PBMSA for non-student guests both during and outside of term time should be assessed on a case-by-case basis subject to the use remaining subservient to the main function of providing accommodation for students. | Paragraph 4.1.3 of the SPG has been reworded to remove the references to term-time. |

| Main issue | Council response |
|--|---|
| Planning Agreement - S76/condition | |
| A more appropriate timing for the payment of the monitoring fee would be on occupation of the development rather than commencement of development. | The Council is required to monitor delivery of development in accordance with any s76 Agreement so, as is common practice, the monitoring fee is paid on or before the date of commencement of development. |
| Miscellaneous | |
| Policy HOU12 can be perceived as discrimination against a small business class that was actually reflective of the demographics of the city. | The purpose of the PBMSA SPG is to supplement and clarify Policy HOU12 of the PS. The PS was subject to Independent Examination (IE) and was found to be sound. It was subsequently adopted in May 2023. |
| Foreign investment into PBMSA not having regard for Belfast local economy. | There is a recognised need for PBMSA in the city, and therefore the PBMSA SPG (2016) is being updated to reflect Policy adopted in the Plan Strategy (PS) – namely Policy HOU12. Additionally, the origin of an investor is outside the scope of planning. |
| The wording used in relation to 'Community Benefit' should reflect the SPPS (para 5.71) which states that <i>'In some circumstances, community benefits may be offered voluntarily by developers to communities likely to be affected by a development.'</i> | Paragraph 4.4.1 of the SPG has been revised as suggested. |
| SPG should also extend to the protection of high value employment-generating sites within the City Centre. | Any land which is zoned for employment use would be protected and would not be suitable for PBMSA. |
| Throughout the SPG, any references to University should be referred to consistently "higher education campuses" | Any reference to university/college will be revised to higher education institution campus (HEIC), for consistency. |
| Consultation process | |
| Consultation is not democratic and is easily subverted by commercial vested interests. | The consultation for the dSPG ran for 12 weeks up until Thursday 21 November 2024, inviting anyone to provide comments. The dSPG was advertised in the Newsletter, Andersonstown News and the Irish News for broad circulation in the city and was also advertised on the Council website. The process was intended to be informative, user friendly, inclusive and conducted in an open and transparent way. Every effort is be made to engage the community, record views and provide feedback. |

Appendix A: Respondents

The following organisations/individuals provided a response to the consultation on the proposed SPG documents:

Individual

- Anonymous – Respondent No 1
- Anonymous – Respondent No 2

Educational body


- Queens University Belfast (QUB)

Private Sector

- Turley, TSA Planning & Clyde Shanks

Appendix B: Copy of Newspaper Adverts

- Newsletter (6 September 2024)

**Belfast
City Council**

Local Development Plan

**Draft Purpose Built Managed Student
Accommodation (PBMSA) Supplementary
Planning Guidelines (SPG)**

Belfast City Council has prepared draft Supplementary Planning Guidelines (SPG) associated with Policy HOU12: Large Scale Purpose Built Managed Student Accommodation (PBMSA) contained in the Belfast Local Development Plan (LDP) Plan Strategy. SPG represents non-statutory planning guidance that supports and clarifies planning policies and is intended to assist policy implementation.

The Council is publishing the draft PBMSA SPG for public consultation. The draft SPG will be available for public inspection from Thursday 29 August 2024 and submissions may be made during the public consultation period, which will close at 5pm on Thursday 21 November 2024. Submissions received after this time will not be considered.

The draft SPG will be available online at www.belfastcity.gov.uk/LDP from Thursday 29 August 2024. It will also be available for inspection at the Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP during normal public opening hours. Submissions can be submitted online using the Belfast City Council consultation site accessible at www.belfastcity.gov.uk/LDP - submissions may also be made by email to: localdevelopmentplan@belfastcity.gov.uk or by post to: Local Development Plan, Belfast Planning Service, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

If you have any queries on the draft SPG, Belfast Planning Service may be contacted on 028 9050 0510 or planning@belfastcity.gov.uk (Monday to Friday) at Belfast City Council, Planning Service, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

Copies can be obtained, by writing to the above address, emailing planning@belfastcity.gov.uk or calling 028 9050 0510.

www.belfastcity.gov.uk/LDP

- Irish News (6 September 2024)

THE IRISH NEWS
FRIDAY SEPTEMBER 6 2024

Ireland



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Local Development Plan

Draft Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidelines (SPG)

Belfast City Council has prepared draft Supplementary Planning Guidelines (SPG) associated with Policy HSU12: Large Scale Purpose Built Managed Student Accommodation (PBMSA) contained in the Belfast Local Development Plan (LDP) Plan Strategy. SPG represents non-statutory planning guidance that supports and clarifies planning policies and is intended to assist policy implementation.

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7

Entertainments

Musician wanted, to form a Waterboys tribute band with a view to winning original material. Looking for kit, guitar, bass, who's who, etc. based in Lough Arneagh. Please James on +447944080133.

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- Belfast Media Group Titles - Andersonstown News (14 September 2024)

14 September 2024

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Belfast City Council Local Development Plan

Draft Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidelines (SPG)

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www.belfastcity.gov.uk/LDP

LICENSING OF PLACES OF ENTERTAINMENT RENEWAL APPLICATION FOR AN ENTERTAINMENTS LICENCE pursuant to Art. 3 of the Local Government (Misc Provisions) (NI) Order 1985

TAKE NOTICE that an application dated 14th September 2024 was made for a 7 day annual entertainment licence for: **ADROYNE WORKING MENS CLUB, 98 Kerrera Street, Belfast BT14 7LE**

Permitting: Dancing, singing or music or any entertainment of a like kind. Equipment for the playing of billiards, pool, snooker or other similar games.

Representation in relation to this application may be made by giving notice to the Head of Building Control, 5th Floor, 9 Langton Place, Belfast, BT1 3LP, stating in general terms the nature of the representation, no later than 28 days after the date of the application.

Brendan Mallory,
24 Flux Street, Belfast BT14 7EJ

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Tuesdays for the
Andersonstown News
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Belfast News.**

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**LICENSING (NORTHERN IRELAND) ORDER 1996
(Article 22, Schedule 5, paras. 1 and 2)
Notice of application for the transfer of a licence
Penny Sessions District of Belfast Magistrates Court
County Court Division of Belfast**

TAKE NOTICE that I, **Gerard Carlini**, intend at the magistrates' court sitting at Belfast Magistrates Court on 18th October 2024 at 10.00 am to apply for the transfer to me of a licence at present held by Sarah Louise Carlini for the premises at **Unit 2, 6 Kennedy Centre, Belfast 5 64-563 The Road, BT1 8AS** being premises of the following kind according to the Licensing (Northern Ireland) Order 1996, namely premises specified in Article:

5 1 (a) - a restaurant, i.e., premises (other than those referred to in Article 5(1)(a) of the Order) substantially adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a main table meal at midday or in the evening, or both. The present licence is due to expire on 30th September 2027.

TAKE NOTICE that at the same time I intend to apply to the court to renew the licence.

Dated this 4th September 2024

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BSL & ISL for beginners and BSL Intermediate.

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Introduction to Sign language (10wk BSL beginner)

Intermediate sign language (10wk BSL beginner)

Introduction to Irish Sign Language (10wk ISL beginner)

Zoom taster course (4wk course)

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* **Community Groups** interested in running a 6wk sign language course: contact 07963697134 or josephscentreforthedeaf@yahoo.com

| Day - Saturday | Introduction to British Sign Language (BSL) date: |
|-------------------|---|
| Sat 10.30-12.30pm | 21 st Sept – 30 th Nov |

| Day - Saturday | Introduction to Irish Sign Language dates: (ISL) |
|----------------|--|
| 10.30-12.30pm | 12 th Jan – 22 nd March 2025 |

| Day - Saturday | Intermediate sign language course dates |
|----------------|--|
| Sat: 1pm – 3pm | 11 th Jan – 22 nd March 2025 |

| Day - Saturday | Zoom- 4wk taster course |
|------------------|---|
| Sat: 11am – 12pm | 9 th Nov – 30 th Nov 28 th Jan – 8 th Feb |

For more information contact:

Yanahiri: 07963697134, josephscentreforthedeaf@yahoo.com or

Website: www.josephscentreforthedeaf.co.uk

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|---------------------------|------------------------------------|
| Subject: | Listing of various structures |
| Date: | Tuesday, 21 st Jan 2025 |
| Reporting Officer: | Kate Bentley |
| Contact Officer: | Dermot O'Kane |

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|---------------------------------------|-----|-------------------------------------|----|-------------------------------------|
| Is this report restricted? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| Is the decision eligible for Call-in? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | <p>Correspondence has been received from the Historic Environment Division (HED) regarding the proposed listing of</p> <ul style="list-style-type: none"> - Ardleenan 180 Upper Malone Rd Belfast BT17 9JZ; - Ardleenan 178 Upper Malone Rd Belfast BT17 9JZ; - 17 Notting Hill Belfast BT9 5NS; - 2 Malone Hill Park Belfast BT9 6RD; and, - 6 Malone Hill Park Belfast BT9 6RD. |
| 1.2 | Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest. |
| 1.3 | <p>The structures being considered are considered by HED to fall within the definition of the word 'building';</p> <p><i>"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a building which is for the time being included in a list compiled under this section.</i></p> <p><i>"Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "building" includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;</i></p> <p><i>Under section 80 Lists of buildings of special architectural or historic interest</i> 80 — (1) The Department— <i>(a) shall compile lists of buildings (which means structure/erection) of special architectural or historic interest; and</i> <i>(b) may amend any list so compiled.</i></p> |

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| 2.0 | Recommendations |
| 2.1 | <p>Committee is requested to:</p> <p>Note the contents of Appendix 1 and support the proposed listing of</p> <ul style="list-style-type: none"> - Ardleevan 180 Upper Malone Rd Belfast BT17 9JZ; - Ardleevan 178 Upper Malone Rd Belfast BT17 9JZ; - 17 Notting Hill Belfast BT9 5NS; - 2 Malone Hill Park Belfast BT9 6RD; and, - 6 Malone Hill Park Belfast BT9 6RD. <p>as detailed in paragraphs 3.5 of this report.</p> |
| 3.0 | Main report |
| 3.1 | The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. |
| 3.2 | <p>In considering whether to include a building/structure as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider:</p> <ul style="list-style-type: none"> • any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and • the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building. |
| 3.3 | Should the Department for Communities decide to list a property/structure, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval. |
| 3.4 | The summaries set out in Appendix 1 for the proposed listings are taken from the evaluation in the consultation report and details the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed Buildings in Northern Ireland under the ongoing work as part of the Second Survey. |
| 3.5 | <p>The Department, based on the completion of detailed surveys, is currently considering listing the following structures and has requested the Council's comments in relation to:</p> <ul style="list-style-type: none"> - Ardleevan 180 Upper Malone Rd Belfast BT17 9JZ; - Ardleevan 178 Upper Malone Rd Belfast BT17 9JZ; - 17 Notting Hill Belfast BT9 5NS; - 2 Malone Hill Park Belfast BT9 6RD; and, - 6 Malone Hill Park Belfast BT9 6RD. |
| 3.6 | <p><u>Financial & Resource Implications</u></p> <p>None.</p> |

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| 3.7 | <u>Equality or Good Relations Implications</u> None |
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| 4.0 | Appendices – Documents Attached |
| | APPENDIX 1: Structure Evaluations |

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APPENDIX 1: Structure Evaluations

Background

The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey in Belfast was due to be completed in 2017 but is ongoing.

The structures being considered are considered by HED to fall within the definition of the word 'building'.

*"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a **building** which is for the time being included in a list compiled under this section. "Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "**building**" **includes any structure or erection**, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;*

*Under section 80 Lists of buildings of special architectural or historic interest
80—(1) The Department—*

*(a) shall compile lists of **buildings (which means structure/erection)** of special architectural or historic interest; and*

(b) may amend any list so compiled.

In considering whether to include a building as Listed, the Department (NIEA) takes into account the architectural and historic interest of a structure and is also given the power to consider:-

- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.

Should the Department for Communities decide to list, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

The summaries below are taken from the from the evaluation in the consultation report and details the main features alongside the recommended class of listing.

Ardleevan 180 Upper Malone Rd Belfast BT17 9JZ

HB26/16/032 B

Evaluation

A two-storey plus attic Arts and Crafts style house of the early 20th Century by Blackwood and Jury Architects, located off a long private road to the E of Upper Malone Road in South Belfast. The house was divided into two separate dwellings between 1963 and 1988, with No. 178 to the SW and No.180 to the NE. The villa is set in expansive grounds with the main SE elevation taking full advantage of sweeping views across the formal gardens and beyond to the Lagan Valley. The asymmetry of plan form with rosemary tiled sweeping roofs, tall brick chimneys, and eclectic detailing are typical of the genre and are extant in this example, as well as internal historic character being retained such as the original simply detailed staircase and original fireplaces. The footprint of no. 180 has been altered with the removal of the original motor house and chauffeur's quarters which have been replaced by a two-storey extension in the late 20th Century, the latter lacking the rich design of the original house. While it may be assumed that some internal alterations to the layout have taken place in connection with the division into two dwellings, there has been a judicious separation of ownerships without obvious erection of boundaries. Externally, the landscaping and delineation of boundary treatments has been understated and does not impact on the setting.

Proposed NIEA listing – **B2**

Extent of proposed listing – House

Image:



Ardleevan 178 Upper Malone Rd Belfast BT17 9JZ

HB26/16/032 A

Evaluation

A two-storey plus attic Arts and Crafts style house of the early 20th Century by Blackwood and Jury Architects, located off a long private road to the E of Upper Malone Road in South Belfast. The house was divided into two separate dwellings between 1963 and 1988, with No. 178 to the SW and No.180 to the NE. The villa is set in expansive grounds with the main SE elevation taking full advantage of sweeping views across the formal gardens and beyond to the Lagan Valley. The asymmetry of plan form with rosemary tiled sweeping roofs, tall brick chimneys, sandstone entrance porch with carved foliate spandrels and eclectic detailing are typical of the genre and are extant in this example, as well as much internal historic character being retained such as the timber staircase and original joinery and fireplaces. The footprint of no. 178 has not altered significantly since its construction, but it may be assumed that some internal alterations to the layout have taken place in connection with the division into two dwellings. Externally, the landscaping and delineation of boundary treatments has been understated and does not impact on the setting. There has been a judicious separation of ownerships without obvious erection of boundaries

Proposed NIEA listing – **B1**

Extent of proposed listing – House and outdoor pool

Image:



17 Notting Hill Belfast BT9 5NS

HB26/17/121

Evaluation

Designed by the architect James Mc Nea in 1861, this handsome Italianate villa is a very complete and well preserved dwelling of a type that was prevalent in the mid-19th century in the Malone area. Designed to take advantage of the elevated site, the dwelling is a surviving example of a development of six dwelling houses, all constructed by William Magill Collins and located in an area demarcated on the 2nd edition OS map as 'Pleasure-House Hill now Notting Hill. Its style and composition encapsulate the self-assurance of the burgeoning prosperous middle classes, whose development of their domestic dwellings within the neighbourhood of south Belfast reflected the rapid industrial growth of the wider city of Belfast. The wealth and detail of historic fabric within and without the house is testimony to these aspirations. This substantial detached dwelling house designed by a noted local architect for the professional / mercantile classes has undergone relatively few changes, notably retaining the original range of outbuildings to the rear and much of its internal detailing. Although a portion of the gardens has been lost, the house retains a mature setting appropriate to its size. The villa residence's well-preserved external detailing is characteristic of its early Victorian date, the lugged upper windows, in particular, connecting it stylistically with its neighbours and with the architect, James McNea. The house is an exceptionally well-preserved example of a medium-sized nineteenth century Italianate villa, built as the wealth and confidence of the middle classes in Belfast was reaching its peak.

Proposed NIEA listing – **B1**

Extent of proposed listing – House and rear courtyard building

Image:



2 Malone Hill Park Belfast BT9 6RD

HB26/18/230

Evaluation

Asymmetric storey-and-a-half Arts & Crafts style, brown brick detached villa with steeply sloping Rosemary tiled roof, constructed c1932, located on a large corner site with mature landscaping on Malone Hill Park at the junction with Malone Road in South Belfast. The dwelling retains much historic detailing of brickwork, swept tiling to underside of roof, rosemary tiles, tall brick chimneys and crisp detailing of historic window and door openings. In a sales advert of 1974 the design of the house is described as the 'Sussex style of mellowed rustic brick' and the building no doubt draws on the English vernacular styles that were influential for the Arts and Crafts movement, exhibiting a high level of asymmetry, decorative use of brick and tiles and extended roofline and chimneys, with small-paned windows. The original owner had a Dutch connection which may possibly account for the 'low countries' character particularly to the end gable of the house with its multiple windows. The garage, which is incorporated into the main body of the house, features a sliding door system utilising Henderson's 'Tangent' door gear. P C Henderson, a company established in 1921, based in Barking, Essex and still in existence today, was a popular supplier of fittings for sliding garage doors at this period when motor houses and garages were becoming a more common addition to domestic dwellings.

Proposed NIEA listing – **B2**

Extent of proposed listing – House

Image:



6 Malone Hill Park Belfast BT9 6RD

HB26/18/231

Evaluation

Two-storey, Arts & Crafts style, painted roughcast, detached villa with hipped Westmoreland slate roof, built 1927-28, to designs by the architect Thomas William Henry as his own residence, located on the SW side of Malone Hill Park in South Belfast. The house largely retains its original footprint and plan form, other than the central ground floor section which has been reconfigured to provide an open-plan kitchen. Many of the original features have also been retained including flooring, panelling, stained glass, light fittings and switches, electric servant bells and the bell indicator box in its original position. Of particular note is the stained glass window to the stairwell, likely designed by Campbell Brothers, a firm of stained-glass manufacturers founded by Tyrone brothers Francis and Samuel Campbell who opened premises in Franklin Street in 1897. The firm was quite prolific in the first few decades of the 20th century, building up a reputation for high quality work and designed windows for the Derry Guildhall (HB01/19/038) and Belfast City Hall (HB26/50/001A), the latter commission being shared with Ward & Partners. The window is similar in style to the surviving stained glass in Shankill Road Public Library also of the same date and by the same architect TW Henry. The garage or motor house features a sliding door system featuring Henderson's 'Tangent' door gear. P C Henderson, a company established in 1921, based in Barking, Essex and still in existence today, was a popular supplier of fittings for sliding garage doors at this period when 'motor houses' were becoming a more common addition to domestic dwellings. Externally, the front doorstep, front boundary piers and walling were built to match the house and are also of special interest. Notable changes include the replacement of glass within the retained original window frames, using slimline double-glazed units with lead strips applied to the outside.

Proposed NIEA listing – **B1**

Extent of proposed listing – House, front doorstep, front boundary piers and walling

Image:



Note:

Listed buildings in Northern Ireland are divided into four categories:

Grade A

Special buildings of national importance including both outstanding grand buildings and the fine, little altered examples of some important style or date.

Grade B+

Special buildings that might have merited A status but for relatively minor detracting features such as impurities of design, or lower quality additions or alterations. Also buildings that stand out above the general mass of grade B1 buildings because of exceptional interiors or some other features.

Grade B1 and B2

Special buildings of more local importance or good examples of some period of style. Some degree of alteration or imperfection may be acceptable.

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| Subject: | Delegation of Local applications with NI Water objections |
| Date: | 21 st January 2025 |
| Reporting Officer(s): | Kate Bentley, Director of Planning and Building Control |
| Contact Officer(s): | Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer |

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| Restricted Reports | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If Yes, when will the report become unrestricted? | |
| After Committee Decision | <input type="checkbox"/> |
| After Council Decision | <input type="checkbox"/> |
| Some time in the future | <input type="checkbox"/> |
| Never | <input type="checkbox"/> |

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| Call-in | |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| 1.0 | Purpose of Report or Summary of Main Issues |
| 1.1 | The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24 th May 2024, 27 th June 2024, 13 th August 2024 and 15 th October 2024 it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected. |
| 1.2 | The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 . |
| 1.3 | For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other |

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| | than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation. |
| 2.0 | Recommendation |
| 2.1 | That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 . |
| 3.0 | Main Report |
| | <u>Background</u> |
| 3.1 | The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity. |
| 3.2 | As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain. |
| | <u>Scheme of Delegation</u> |
| 3.3 | Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers. |
| 3.4 | Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee. |
| 3.5 | The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i> |
| 3.6 | This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee. |
| 3.7 | Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 239 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants. |
| | <u>Nature of NI Water objections</u> |
| 3.8 | NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or |

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| | <p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p> |
| 3.9 | <p>In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.</p> |
| 3.10 | <p>However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.</p> |
| 3.11 | <p>Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.</p> |
| 3.12 | <p>In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.</p> |
| 3.13 | <p>The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided.</p> <p><u>Habitats Regulations Assessment</u></p> |
| 3.14 | <p>Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.</p> |
| 3.15 | <p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.</p> <p><u>Local applications for which delegated authority is sought to determine</u></p> |
| 3.16 | <p>The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1.</p> |

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| 3.17 | It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation. |
| 4.0 | Financial & Resource Implications |
| 4.1 | The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources. |
| 5.0 | Equality or Good Relations Implications / Rural Needs Assessment |
| 5.1 | No adverse impacts identified. |
| 6.0 | Appendices – Documents Attached |
| | Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine. |

Appendix 1 – Local applications with NIW objections (January 2025)

| | DEA | REFERENCE | DATE RECEIVED | PROPOSED | ADDRESS |
|---|----------------|------------------|---------------|--|---|
| 1 | Balmoral | LA04/2024/2942/F | 20/11/2024 | Renovation & extension of existing derelict canteen building and change of use to a single storey dwelling | Derelict Canteen Building adjacent to Pavilion 8, Belvoir Park Hospital Development Hospital Road, Belfast, BT8 7EW |
| 2 | Titanic | LA04/2024/1727/F | 11/10/2024 | Erection of 1no. dwellinghouse | 2 Finvoy Street, Belfast, BT5 5DH |
| 3 | Castle | LA04/2024/1662/F | 02/10/2024 | Change of Use from 8 bed dwelling (C1) to 10 bed assisted living unit (C3a) with staff accommodation | 381 Antrim Road, Belfast, BT15 3BG |
| 4 | Black Mountain | LA04/2023/3151/F | 25/04/2023 | Demolition of existing building and construction of 13 no. apartments with associated car parking and landscaping. (Amended Plans & Description) | 159 Glen Road, Belfast, BT11 8BS |
| 5 | Titanic | LA04/2022/1746/F | 01/09/2022 | Demolition of the existing buildings and construction of 2no. four storey buildings comprising 21no. 1-bedroom apartments (build to rent), 3no. 2-bedroom apartments (build to rent) and 2no. retail units at ground floor. Additional site works. (Amended Plans & Description). | Nos 372 and 374-378 Newtownards Road Belfast BT4 1HG. |
| 6 | Court | LA04/2024/0749/F | 29/04/2024 | Erection of a 4-5 storey building for 9No units to provide short stay accommodation, with ancillary bin/bike storage and external amenity space | 4 College Square North, Belfast, BT1 6AR |
| 7 | Castle | LA04/2024/1812/F | 28/10/2024 | Change of use from offices to 40No. Bedroom Boutique Hotel. Refurbishment, alterations to façades for new window, door and fixture arrangements, rear ground floor extension with associated ground floor restaurant and bar, including external courtyard, PV Panels to roof (12kWP) and all associated site works. | Lands at Nos.2-16 Gordon Street, Belfast, BT1 2LG |
| 8 | Oldpark | LA04/2024/1621/O | 23/09/2024 | 2 Storey apartment buildings consisting of 8.No 2 Bedroom apartments. Proposal includes parking, bin storage, green amenity & landscaped space & bike racks. | 7-9 Brae Hill Park, Belfast, BT14 8LP |

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| Subject: | LA04/2021/1808/F - Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works. - Lands South and East of 148-163 Lagmore View Lane North and West of 37, 81, 82 and 112 Lagmore Glen and Lagmore View Road, Belfast |
| Date: | 21 st January 2025 |
| Reporting Officer(s): | Kate Bentley, Director of Planning and Building Control |
| Contact Officer(s): | Ed Baker, Planning Manager (Development Management) |

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| Restricted Reports | |
| Is this report restricted? | No |
| If Yes, when will the report become unrestricted? After Committee Decision After Council Decision Some time in the future Never | |

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| Call-in | |
| Is the decision eligible for Call-in? | Yes |

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| 1.0 | Purpose of Report or Summary of Main Issues |
| 1.1 | Planning permission was granted in July 2024 for the erection of 14 dwellings and highway safety improvements on lands adjacent Lagmore View Lane, Lagmore Glen and Lagmore View Road (LA04/2021/1808/F). The permission is subject to a Section 76 planning agreement which secures three of the 14 dwelling houses as affordable housing. The applicant is seeking the Council's agreement to amend the Section 76 planning agreement so that the tenure of the three affordable housing is changed from Co-Ownership Housing to social rented housing. The Committee is asked to agree this change. |

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| 2.0 | Recommendation |
| 2.1 | The Committee is asked to agree the change in tenure of the three affordable housing units from Co-Ownership Housing to social rented housing. |
| 2.2 | Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the amended Section 76 planning agreement. |
| 3.0 | Main Report |
| | <u>Background</u> |
| 3.1 | This application was originally approved by the Committee at its September 2023 meeting. A copy of the Committee report is provided at Appendix 1 . The planning permission was then issued in July 2024 following completion of the Section 76 planning agreement. |
| 3.2 | The planning agreement specifies that Plots 168, 179 and 179a are delivered as Co-Ownership Housing. The applicant has recently provided correspondence from Co-Ownership Housing that confirms the valuation of Plots 179 and 179a at £210k, which exceeds the current £195k valuation limit for Co-Ownership Housing. Co-Ownership Housing is therefore unable to deliver these as affordable housing. |
| 3.3 | The applicant has been in discussion with Arbour Housing Association about delivering Plots 168, 179 and 179a as social rented housing instead. It has provided a letter from Arbour Housing Association which refers to the assessment of local housing need by Northern Ireland Housing Executive (NIHE). NIHE's Prospectus for Social Housing Development Programme indicates a projected (5-Year) social housing need (2023-28) for 3,109 homes within Greater West Belfast area and the above units will help contribute to meeting this projected need. |
| | <u>Amendment to the Section 76 Planning Agreement</u> |
| 3.4 | The change to the tenure of the three affordable units from Co-Ownership Housing to social rented housing will necessitate an amendment to the planning agreement. Officers advises that the scheme will continue to delivery 21% affordable housing, albeit a different form of affordable housing, in line with Policy HOU5 of the Plan Strategy. |
| 3.5 | Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the amended Section 76 planning agreement. |
| 6.0 | Financial & Resource Implications |
| 6.1 | There are no financial or resource implications associated with this report. |
| 7.0 | Equality or Good Relations Implications / Rural Needs Assessment |
| 7.1 | There are no equality or good relations / rural needs implications associated with this report. |
| 8.0 | Appendices – Documents Attached |
| | Appendix 1 – Copy of Case Officer report to the September 2023 Planning Committee. |

Appendix 1 – Committee Report

Committee Meeting Date: 19th September 2023

Application ID: LA04/2021/1808/F

Proposal:

Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works.

Location:

Lands South and East of 148-163 Lagmore View Lane North and West of 37 81 82 and 112 Lagmore Glen and Lagmore View Road, Belfast.

Referral Route: Major development (site area greater than 1 hectare)

Recommendation:

Approval

Applicant Name and Address:

Antrim Construction Company Ltd
130-134 High Street
Holywood
BT18 9HW

Agent Name and Address:

TSA Planning Ltd
20 May Street
Belfast
BT1 4NL

Executive Summary:

The application seeks full planning permission for a residential development comprising 14 dwellings (8 detached and 6 semi-detached), access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works.

The key issues in the assessment of the application are:

- Principle of Development (including Loss of Open Space)
- Layout, scale and design
- Traffic, Movement and Parking
- Private Amenity Provision
- New Open Space Provision
- Impact on Amenity
- Affordable Housing Provision
- Drainage and Flooding
- Other Environmental Matters
- Impact on existing Electrical Infrastructure
- Section 76 planning agreement
- Pre-application Community Consultation

The principle of residential use and general layout has been established on the site through planning permission S/2010/0834/F which is extant and partially complete.

The development is proposed on a sloping site located in the west of the city close to the settlement limits. The proposal would see 14 dwellings replace an approved block of 12 apartments and open space area, as previously approved as part of a larger scheme of 41 units, along with an area of open space and number of new traffic calming measures along Lagmore View Road. The proposal also includes the development of a previously approved area of open space which runs along the south-western boundary of the site.

A significant component of the scheme is the realignment of the main access road (Lagmore View Road) which serves the site and wider area, with accompanying traffic calming measures to address an acknowledged road safety issues arising from existing road layout. The application, including road realignment has the support of the local community association.

Statutory Consultees

DFI Roads – Final response awaited

DAERA – No objection

DFI Rivers – No objection

NI Water – No objection

NI Housing Executive – Support

Non-Statutory Consultees

BCC Environmental Health – No objection

BCC Plans and Policy team – advice provided (see main assessment)

BCC Landscape Planning and Development Unit – advice provided (see main assessment)

NIE – No objection

Two letters of objection and two letters of support have been received. These are detailed in the main report.

It is recommended that planning permission is approved in the planning balance, given the overall benefits associated with the proposal, namely the improved road layout, landscaped open space and new housing including an element of affordable housing.

It is requested that delegated authority is given to the Director of Planning & Building Control to finalise the wording of conditions and Section 76 planning agreement – including the requirement to secure three of the units as affordable housing – and deal with any other issues that may arise from outstanding consultations.

Case Officer Report

Site Location Plan and Layout





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| 1.0 | Description of Proposed Development |
| 1.1 | The application seeks full planning permission for the erection of 14 dwellings (8 detached and 6 semi-detached), access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), minor road realignment and traffic calming measures along Lagmore View Road, and all associated site works. |
| 1.2 | The proposal alters a previously approved housing layout on a larger site consisting of 41 units, which included a single block of 12 apartments to the north and a strip of open space along the south / south-eastern boundary (S/2010/0834/F). The development is proposed on the site of the approved apartment block and open space. |
| 1.3 | 12 of the proposed 14 units are accessed from the main access road which runs along the northern boundary of the site and ties in with the main Lagmore road network. Two of the units are accessed via the existing Lagmore View access road to the south-east. These access points provide links to existing public transport networks. |
| 1.4 | Importantly, the proposal also includes alterations to the Lagmore View Road intended to improve highway safety, including minor road realignment to straighten two existing speed control bends. The extent of speed control tables are also being reduced to minimise potential for motorists to mount the footpath. Speed control cushions are also being introduced as additional traffic calming measures. The applicant has presented a case that the proposed dwellings are necessary to fund these works. |
| 2.0 | Description of Site |
| 2.1 | The site is located on the western edge of the Belfast urban area and just within the settlement limits as defined the Belfast Urban Area Plan and in Draft Belfast Metropolitan Area Plan 2015 (both versions). |
| 2.2 | The application site is located east of neighbouring fields and lies between the residential properties on Lagmore View Road, Lagmore Glen and Lagmore View Lane. Application documentation defines the site as extending to 2.42ha, the majority of which (approximately 1.62ha) is existing road infrastructure and existing/proposed open space provision that is part laid in grass and part comprising rough ground and hardstanding. |

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| 2.3 | The applicant has noted that part of the site was being temporarily used as a site compound during construction works, and this is not an uncommon situation. |
| 2.4 | The site is located on the periphery of the Lagmore housing development with housing abutting the site to the north, west and south-west. The existing levels fall quite significantly from north to south through the site. Overhead powerlines traverse the site running close to, and parallel with, the south-western boundary. Some scrub occupies the site and site boundaries. |
| 3.0 | Planning History |
| 3.1 | S/2000/1332/O – Site for housing and to develop lands to rear of Lagmore Dale, Stewartstown Road, Belfast. Permission granted in October 2001. |
| 3.2 | S/2010/0834/F – Residential development of 41 dwellings comprising apartments, semi-detached and detached housing including provision of equipped children's play area and other associated public open spaces & landscaping. Permission Granted October 2013 |
| 3.3 | LA04/2018/0005/F - Erection of 6 detached and 8 semi-detached dwellings and associated parking, relocation of public open space previously approved under planning permission S/2010/0834/F with associated play park, landscaping, and site works. Lands south & east of 148-163 Lagmore View Lane & 20-26 Lagmore View Road and north & west of 37 81 82 105-114 Lagmore Glen, Lagmore Glen, Belfast. Withdrawn. |
| 4.0 | Policy Framework |
| 4.1 | <p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>Development Plan – zoning, designations, and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other material considerations Developer Contribution Framework Creating Places Belfast Agenda (Community Plan)</p> |
| 4.2 | <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p><i>Strategic Policies</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP4 – community cohesion and good relations Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i></p> |

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| | <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i> Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of Residential Development Policy HOU5 – Affordable Housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and Accessible Accommodation Policy DES1 – Principles of Urban Design Policy DES2 – Masterplanning Approach for Major Development Policy RD1 – New Residential Developments Policy HC1 – Promoting healthy communities</p> <p><i>Transport</i> Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p><i>Building a Smart Connected and Resilient Place</i> Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i> Policy OS1 – Protection of Open Space Policy OS3 – Ancillary Open Space Policy NH1 – Protection of Natural Heritage Resources Policy TRE1 – Trees Policy LC1 – Landscape</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sensitive Uses Sustainable Urban Drainage Systems Transportation Trees and Development</p> |
| 5.0 | <p>Statutory Consultees DFI Roads – Awaiting final response DAERA – No objection DFI Rivers – No objection NI Water – No objection NI Housing Executive – Support</p> |

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| 6.0 | Non-Statutory Consultees BCC Environmental Health – No objection BCC Plans and Policy Team – Advice provided (see main assessment) BCC Landscape Planning and Development Unit – Advice provided (see main assessment) NIE – No objection |
| 7.0 7.1 | Representations Two letters of objection have been received, raising the following issues (with an officer response immediately below each). <ol style="list-style-type: none"> 1. New road safety measures and impact on existing road safety issues. <i>DFI Roads had initially highlighted concerns with regard to the proposed bollards, which were subsequently removed. New traffic calming measures have been included in the form of speed control cushions with road realignment and reduction in extent of speed control tables. These changes have been welcomed by DFI Roads given road safety issues associated with current road layout.</i> 2. More housing will lead to more traffic. <i>DFI Roads are satisfied that the existing road network can accommodate the proposed additional dwellings and has offered no objection to the application. The proposal will only create two additional dwellings units</i> |
| 7.2 | Two letters of support have been received from a local Residents Association highlighting positive engagement between the developer and the community. |
| 9.0 | PLANNING ASSESSMENT |
| 9.1 | The key issues in the assessment of the proposal are: <ul style="list-style-type: none"> • Principle of Development (including Loss of Open Space) • Layout, scale and design • Traffic, Movement and Parking • Private Amenity Provision • New Open Space Provision • Impact on Amenity • Affordable Housing Provision • Drainage and Flooding • Other Environmental Matters • Impact on existing Electrical Infrastructure • Section 76 planning agreement • Pre-application Community Consultation Development Plan Context |
| 9.2 | Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. |
| 9.3 | Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations. |

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| 9.4 | <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> |
| 9.5 | <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> |
| 9.6 | <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> |
| 9.7 | <p><u>Belfast Urban Area Plan 2001 (BUAP)</u> The site is located on un-zoned “whiteland” within the development limits of Belfast.</p> |
| 9.8 | <p><u>Draft BMAP (v2004 and v2014) designations</u> In draft BMAP 2015 (v2004) the site is zoned for housing (Zoning ML02/16). In draft BMAP (2014) it is also zoned for housing (Zoning ML03/01).</p> |
| 9.9 | <p>Principle of Development (including Loss of Open Space)</p> <p>The site is located within a larger approved housing development (S/2010/0834/F) with residential use originally established at the site as part of a substantial outline scheme and housing masterplan (S/2000/1332/O). However, the proposal includes the development of a stretch of existing open space along the south-eastern boundary of the site. This area was also previously approved as open space as part of an approved layout for 41 units with 12 apartments approved on the application site, as shown below alongside the proposed layout. All dwellings approved under this extant permission have been built apart from the 12 apartments.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Approved layout</p> </div> <div style="text-align: center;">  <p>Proposed layout</p> </div> </div> |

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| 9.10 | The total area of existing open space which would be lost as a result of the proposed development is approximately 4,800 square metres (0.48 ha). |
| 9.11 | The proposal has been assessed against Policy OS1 of the Plan Strategy which states that development that results in the loss of existing open space will not be permitted. |
| 9.12 | <p>However, the policy permits exceptions where either:</p> <ul style="list-style-type: none"> • it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space; or • where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and where either of the following circumstances occur: <ul style="list-style-type: none"> (i) in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality; or (ii) in the case of playing fields and sports pitches within settlement limits, it is demonstrated by the developer that the retention and enhancement of the facility can only be achieved by the development of a small part of the existing space - limited to a maximum of 10% of the overall area - and this will have no adverse effect on the sporting potential of the facility. This exception will be exercised only once. |
| 9.13 | Although argued initially by the applicant that Policy OS1 of the now superseded Planning Policy Statement 8 does not apply to the proposal as the site forms part of a housing zoning and is undeveloped, the area in question has been approved as open space under extant permission S/2010/0834/F to support the housing and was initially approved as open space in the original concept masterplan for the area. Within this context, the area must be assessed under Policy OS1, which is based on the same principles as the no longer extant PPS 8 of protecting existing areas of open space, irrespective of its physical condition. |
| 9.14 | In response to Policy OS1 and its exceptions, a number of potential community benefits (in this case material planning considerations) have been highlighted by the applicant. These include amenity benefits to the properties adjacent to the site, 14 new homes satisfying community requirements (with no apparent community desire for the previously approved apartments), new managed open space provision for the community and road improvements including additional parking bays, speed cushions and road realignment. The proposed road safety improvements are intended to address local people's concerns about the existing road layout and are supported by a Road Safety Audit submitted by the applicant, which in turn has been acknowledged by DFI Roads. |
| 9.15 | Although improvements to the road layout are not explicitly linked to the loss of open space and could be achieved irrespective of its loss, the applicant argues that the proposed housing will enable the necessary road improvements, which would otherwise not come forward. |
| 9.16 | DFI Roads has acknowledged that the current road layout, including the extent of raised speed control tables, is not ideal and has the potential to create a road safety issue. The applicant has presented the proposal as an opportunity to facilitate much needed road improvements whilst completing this part of the development and providing a high quality residential scheme with a landscaped open space area, albeit smaller than previously approved. It is evident from the financial information submitted, comparing the approved |

and current proposals, that the 12 detached units would generate significant additional revenue to help fund the road improvements. It is also worth noting that during the course of the application the extent of the road improvement works has increased from around £40k for the original proposed scheme to in the region of £200k for the current scheme. The previously proposed bollards now making way for road realignment, speed control cushions and removal of long speed control tables. The resulting costs of the works has been exacerbated by the recent rise in cost of building materials and inflation.

9.17 When the application was first submitted, the applicant had indicated a proposed condition and trigger for the road works that would see their completion prior to the occupation of the first dwelling; however, that was on the basis of the road works being costed in the region of £40,000. The new road safety improvements that have arisen as the result of the issues/dangers identified in a Road Safety Audit have increased in price five-fold and are now in the region of £200,000, which is a significant abnormal upfront cost for 14no dwellings. Accordingly, officers advise that a suitable and reasonable trigger point for the road works being completed would be by occupation of the 8th dwelling. This will enable the developer to forward fund the road safety measures through the release of the first housing phase and ensure the necessary road improvements will continue to be delivered in a timely manner.

9.18 In terms of the quantitative loss of open space the proposal should be considered in the round, with the site forming a small part in a significant housing development. Within the application site the loss represents a total of approximately 2,200 square metres, amounting to 31% of the open space. However, when considered holistically the loss of 0.2 Ha of open space is only 3.6% of the total open space approved for the Lagmore/Mount Eagles housing development (5.5 ha). The overall approved open space within the Lagmore housing development is shown below. The plan also shows the location of the site in this wider context.



9.19 At a localised level, the subject proposal provides additional green spaces/amenity provision by finishing off the development, providing approximately 4,800 sqm of open green space. Critically, this ties together two existing areas of open space with an increased usable green space provision of almost 6,000sqm.

9.20 It is also worth noting at this point that part of the application site was approved for apartment development. The apartment proposal occupied an area of approximately 2,100 sqm as shown below (lower lefthand corner with “smudge effect”), the area hatched blue in the plan below (approx. 1,925 sqm) denotes an area earmarked for development in the original Lagmore Concept Masterplan. The blue area denotes an area earmarked for development in a previously approved Concept Masterplan, which would now be provided as open space.



9.21 The concept of developing this area was pulled through to the approved site layout under A/2010/0834/F as shown below. The grey area is annotated as such – ‘area for future development in keeping with concept masterplan’



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| 9.22 | The applicant's justification also looks at the overall open space provision within the wider Lagmore development as a whole and argues that the loss is not significant when viewed holistically with an open space provision of circa 25% of the entire housing area still remaining – this compares to previous policy requirement for 15% open space. |
| 9.23 | <p>The Council's Landscape team has stated that the loss of new open space would be significant (when considered in the context of the application site). However, this must be considered in tandem with the overall open space provision on the site as required by Policy OS3, discussed further below.</p> <p><i>Removal of approved playground:</i></p> |
| 9.24 | The Council's Landscape Planning and Development team has also noted that the proposed layout does not include an equipped children's play area, previously approved under planning reference S/2010/0834/F. The provision of the playground for the proposed 14 units would not be a policy requirement as such, but within the wider Lagmore Housing scheme would certainly have been a PPS8 consideration and is now a requirement under Policy OS3 of the Plan Strategy for sites greater than 5Ha or proposals for more than 100 units. However, the proximity to overhead powerlines has been highlighted by the applicant as a reason for omitting this formal play area, and this is supported by NIE comments and accepted by the Council's Landscape Planning and Development team. Furthermore, there was no planning condition on the previous permission to require the actual delivery of the play area or to delivery and manage the open space. It would therefore be unreasonable to object to the removal of the park from this location. |
| 9.25 | It is also noted that play parks are provided in the wider Lagmore area. Policy OS3 states that the Council will consider an exception to the requirement of a play park where a children's play area exists within reasonable walking distance from a site (generally around 400m). |
| 9.26 | There is no Local Equipped Area for Play (LEAP) within 400m of the subject site. The previous site approval did make provision for a LEAP but this was undeliverable given health and safety concerns associated with children's play equipment located below power lines. |
| 9.27 | However, there appears to be opportunity for residents to avail of a significant quantum of usable amenity throughout the wider Lagmore development. As shown in the concentric circle plan below, the Lagmore Youth Project and Lagmore Community Forum provide additional services for the local area and they are located within 400m of the site at the church grounds on Lagmore Drive. |



- 9.28 Within 1,000m is the Mount Eagles Community Centre, Mount Eagles LEAP and the Lagmore Activity Park (a NEAP at White Rise).
- 9.29 Just beyond of the 1,000m band (approximately 1,200m) is the new Pairc Nua Chollan (on Stewartstown Road) and the Brook Leisure Centre (Twinbrook Road), both of which remain highly accessible and offer extensive services to the wider Colin area. Although marginally outside of the 1,000m distance for a Neighbourhood Equipped Area of Play (NEAP), the new park and leisure centre are signature projects/destinations and the Lagmore Feeder bus service terminates at the Colin Connect at the main entrance to the park. The Lagmore Bus can be boarded at Mount Eagles Square and Lagmore Drive. In addition, The Glider Service at McKinstry passes the new park and also another signature project/tourist destination in the Colin Glen Forest Park.
- 9.30 There are also two sizeable public greens in the immediate vicinity of the site either side of the main distributor road offering the opportunity for informal play. Proposed speed control measures between the two green spaces will improve connectivity and pedestrian safety allowing residents to move more freely between them. The proposal also delivers additional open space provision with a mix of hard and soft landscaping to complement the existing green adjacent to the site. Unlike the previous planning permission, there will be a requirement through a Section 76 planning agreement for these spaces to be properly laid out and managed.
- 9.31 The benefits associated with the scheme, namely the delivery and management of enhanced open space combined with the proposed road improvements, are cumulatively considered to represent substantial community benefit that decisively outweigh the loss of open space, as such complying with Policy OS1 of the Plan Strategy.

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| | <p>Layout, scale and design</p> |
| 9.32 | <p>The proposal has been assessed against the SPPS and Policies HOU4, HOU6, HOU7, DES1, DES2 and RD1 of the Plan Strategy.</p> <p><i>Density:</i></p> |
| 9.33 | <p>The Planning Service's Plans and Policy team has provided advice in relation to the new policies. It has been suggested that there should be a higher density on smaller parts of the site, which would in turn make more efficient use of the land and protect open space. The application site is the final phase of the wider Lagmore View and Glen Housing Development, which has an established density of 19 dph. This is calculated by considering the existing 371 dwellings across the 19.52 ha development site. There is also extant permission for another 12 apartments on the subject site which would lift the density slightly to 19.62 dph. This proposal for 14no dwellings in lieu of 12 apartments results in a net increase of 2 dwellings over the extant permission. The total developable area of the site is 0.7Ha. The 14 units therefore equates to a density of approximately 20 units per hectare, almost identical to the average density in the Lagmore area, and in conformity with the character of this established residential area in accordance with Policy RD1. Having regard to these factors, the proposed density is acceptable.</p> <p><i>Impact on the character and appearance of the area:</i></p> |
| 9.34 | <p>With the replacement of a block of 12 apartments with a more traditional housing layout of 14 units (8 detached and 6 semi-detached) it is clear that the proposal is more in keeping with the established residential character of the area and would represent a more sympathetic density and pattern of development. The dwellings are well spaced and are stepped down the slope in a manner which ensures no visual detriment nor adverse impact on amenity of prospective residents. The detached streetscape along the northern edge provides a high quality frontage onto the road with in-curtliage parking ensuring small gardens and trees provide a visual buffer to the street, and a softer landscape than the slightly higher density of the semi-detached dwellings to the immediate north. The proposed development is open to the front of the building lines, and any screening proposed onto the street to protect the private amenity of rear gardens (Nos 169, 177 and 179) will be a 1.8m high brick wall. This will ensure the provision of a high quality of finish onto the street.</p> |
| 9.35 | <p>The form of the dwellings is generally single and two storeys, in keeping with the area, with the three storey split level dwelling located at site Nos. 170-174 responding to the tighter contours along the south-western part of the site and located as such that it will not look out of place or unduly dominant. This three storey house type is the same as the adjacent dwellings to the immediate south-east in Lagmore View, which would be read with the proposal from the south-eastern approach to the site. Nos. 173 and 174 are actually accessed from the existing development at Lagmore View. The layout and form is responds to the sloping topography of the site to minimise the extent of physical retaining structures and ensures a balanced cut and fill exercise that minimises the amount of waste that would be excavated off site.</p> |
| 9.36 | <p>The built form with a mix of detached single storey and two storey dwellings and semi-detached three storey dwellings reflects the character of the adjoining housing to the north, east and southeast. The mix of red brick and off-white render finish reflects the finishes and material of both the dwellings that bound the site.</p> |

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| | <i>Housing mix:</i> |
| 9.37 | Policy HOU6 requires that residential proposals for more than 5 units provide a suitable mix of house types and sizes to promote choice and assist in meeting community needs. |
| 9.38 | As stated above the proposed density is in keeping with the character of the wider Lagmore area and reflective of the site's edge of limits location. The same can be said for the mix of dwellings, 8 detached and 4 semi-detached units. As will be discussed further below, two units are bungalows and will cater for a particular need and are designed to meet the needs of those that require wheelchair access. It is proposed that these two bungalows are within co-ownership range and will form 3 of the units which will be secured as affordable housing through the Section 76 planning agreement. |
| 9.39 | As stated, the housing mix of 3 and 4 bed units has been driven by the communities desire for family homes, and a movement away from apartment development. It is considered that the proposed mix is responsive to the need in the area and responds appropriately to the physical characteristics of the site and the character of the Lagmore area. The housing mix is considered acceptable. |
| | <i>Adaptable and accessible accommodation:</i> |
| 9.40 | <p>Policy HOU7 of the Plan Strategy also sets out a number of detailed design criteria which are addressed below:</p> <ul style="list-style-type: none"> • All house types now afforded porches/canopies which ensure main entrances offer shelter from the weather. • Permanent living space is achieved within/in addition to a kitchen at entrance level in all house types presented, including split level dwellings (whose entrance level happens to be at 1st floor/upper ground floor level). • All house types have been updated to provide entrance level WC with space to provide a shower. • Each house type has an accessible bathroom on the same level as the main bedroom. The main bathroom on the split level house type is on the same level as the primary living accommodation which is set apart by a half flight of stairs. However, each house does have an ensuite and the floorplans have been annotated to demonstrate this as requested. • Glazing in the principal living space is sited to enable outlook when seated. |
| 9.41 | Policy HOU7 also requires that for residential developments of 10 units or more, at least 10% of units are wheelchair accessible, designed in accordance with a number of criteria. |
| 9.42 | This equates to a requirement for two dwellings of the 14 proposed and can be achieved by the two bungalow plots at 179/179a. |
| 9.43 | <p>A wheelchair accessible environment is provided in accordance with the space standards for wheelchair housing set out in appendix C (of the Plan Strategy):</p> <ul style="list-style-type: none"> • The dwellings are 86.6sqm which is in excess of the 80sqm required for a 3p/2b wheelchair bungalow. |

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| | <ul style="list-style-type: none"> • All driveways meets disabled parking standards; • Pathways are wide enough to accommodate a wheelchair and have a firm surface, and where there is a level change the slope is gentle. • All entrance hallway, kitchen, living, dining area, bathroom and a main bedroom have an unobstructed turning circles. • All entrances, doorways and halls are an appropriate width and length allow for wheelchair access; • Recessed space at the entrances will enable storage of a second wheelchair; • No lift is necessary as the units in question are single storey. • In terms of storage, floorplans show indicative layouts of where wardrobes are to be located, and there are storage areas with regard to hot press/stores/cloaks. However, at 86.5sqm the dwellings have a footprint in excess of the 80sqm wheelchair standard and shows an optional snug room which could be dedicated to storage. • Each dwelling has a suitable at grade garden and patio area. |
| 9.44 | <p>Traffic, Movement and Parking</p> <p>The proposal has been assessed against Policies TRAN1, TRAN2, TRAN6, TRAN8 and HOU7 of the Plan Strategy.</p> |
| 9.45 | <p>Each of the 14 dwellings are served by two in-curtilage parking spaces. A further 9 visitor spaces have been identified on the street. DFI Roads is satisfied with the level car parking provision and its arrangement.</p> |
| 9.46 | <p>Policy HOU7 requires that Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property.</p> |
| 9.47 | <p>The Plans and Policy team advises that the proposal does not comply with this criterion because the drawing states driveway gradients to be 1 in 12.5 for the first 5m. However, 1 in 12.5 is a gradient of 8% which is in conformity with Creating Places (para 16.14 below), a document referenced as existing guidance in the new suite of SPGs. Regard is also had to the topography of the site.</p> |
| 9.48 | <p>The applicant has stated that it is not possible to provide at grade entrances to the four split level dwellings to the lower part of the site as their main entrance is via steps to first floor/upper ground level. The reasons for having to employ this style of house at this location are connected with the existing and challenging topography and providing level access to the rear garden. The applicant has also stated the use of split level dwellings with stepped access are compliant with Lifetime Homes and Building Control Requirements.</p> |
| 9.49 | <p>A Travel Plan was submitted in support of the application, this proposed measure to promote alternatives to private car use, including the employment of a Travel Plan Co-ordinator and a contribution towards car club membership for 3 years. DFI Roads were generally content with the proposals but had also requested the Travel Plan included the offer of a Travel card for each dwelling for three years. However, given the location of the proposal within an extensive housing area, and the commitment to improving road safety,</p> |

as well as the other benefits brought about by the scheme as discussed above, it is considered that a Travel Card provision is not essential. The measures outlined within the proposed Travel Plan shall be secured via the Section 76 Legal Agreement.

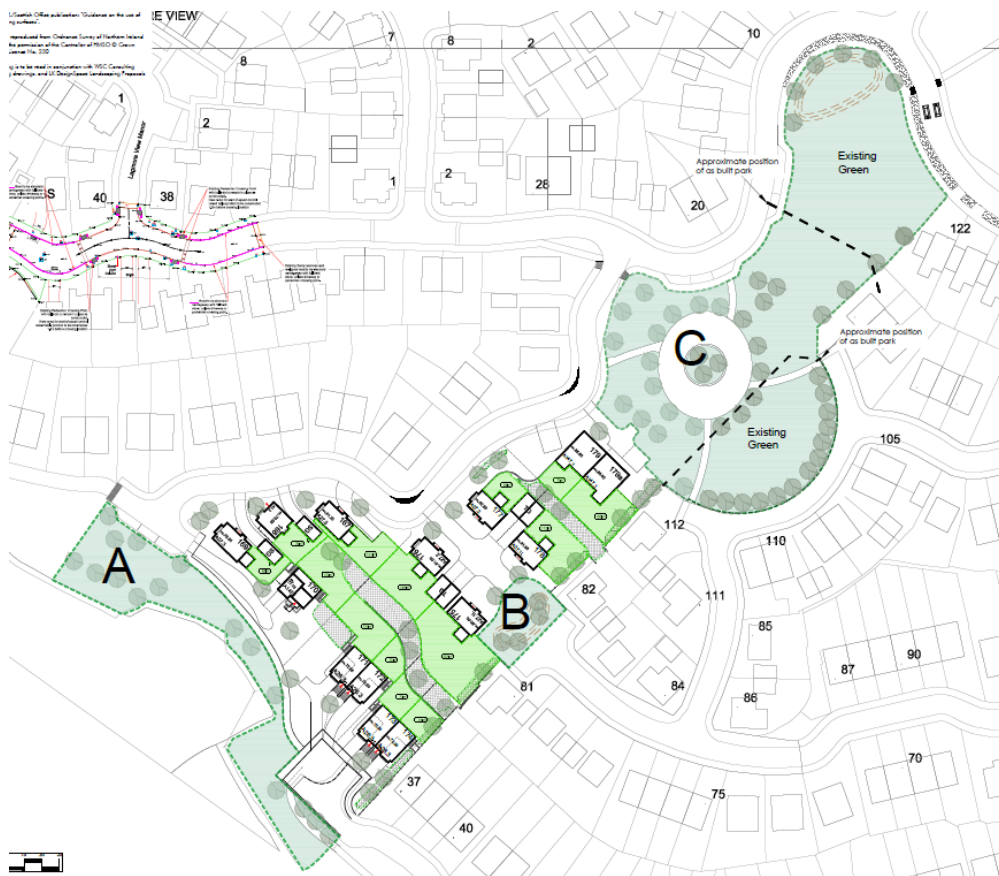
9.50 DFI Roads are satisfied with the proposed layout, including proposed road realignment. Final copies of Private Streets drawings are with DFI Roads for approval. A final consultation is awaited and delegated authority is sought to resolve any further issues that may arise.

Private Amenity Provision

9.51 In terms of private amenity, the proposal encompasses a range of rear garden sizes. The smallest private garden measures approximately 62 sqm with the largest being 357 sqm. The average private amenity provision (for dwellings) sits at approximately 133 sqm, 53 sqm greater than the minimum standard set out in the 'Creating Places' guidance.

New Open Space Provision

9.52 The proposal has been assessed against Policies OS3 and RD1 of the Plan Strategy. Integral communal open space has been provided in the form of an area of approximately 7,000 square metres of public open space in the north-eastern part of the site. As the number of dwellings in the proposal is less than 25 (14), there is no policy requirement as such for open space provision on the site itself, however, open space would have been required as part of the previous approval for 41 units on the larger site (S/2010/0845/F). Having said this, the remaining area of open space exceeds the area that would be required to serve the overall site. The approved scheme for 41 units was located on a site with an area of approximately 4 ha, and therefore under Policy OS2 would require an open space provision of approximately 4,000 square metres. The open space remaining on the site is well in excess of this requirement, and is shown in the plan below.



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| 9.53 | <p>Impact on Amenity</p> <p>Policy RD1 of the Plan Strategy sets out a number of criteria for new residential development, the second of which is that it does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance.</p> |
| 9.54 | <p>In the south-eastern corner of the site, where the development sits closest to neighbouring buildings, these separation distances are approximately 8.5m gable to gable. The dwelling closest to the south-eastern boundary has a finished floor level of 72m, which represents a cutting into the existing levels by approximately 2m at this location. This represents a finished floor level approximately 1m higher than the adjacent dwelling at No. 37 Lagmore Glen. Although the proposed dwelling has a finished floor level 2m higher the stagger in the building line is only 3m and given the separation distance it is not envisaged that the proposal would result in any significant impact on the private amenity to the rear of this existing property. The two storey rear element of the proposed dwelling will definitely be apparent when looking out from the rear of this adjacent property, and also whilst in the garden area. However, as the step in the building line is only 3m, and given the orientation of the existing dwelling, facing south, it is not envisaged that the proposed dwelling would be unduly dominant or lead to any significant loss of light. However, given this level change and the stagger in the building line, in the event that approval would be forthcoming, it would be preferable that the permitted development rights were removed from this property to prevent any extension to its rear being built without the benefit of planning permission.</p> |
| 9.55 | <p>In terms of the remaining three dwellings proposed along the south-eastern boundary abutting adjacent dwellings at lower levels (Nos. 81, 82 and 112 Lagmore Glen), the finished floor level differences range from 1.3m-2.55m, however, the separation distances are such that there will be no adverse impact on amenity. These separation distances are approximately 15m at site No. 175 and 11m at site Nos. 178 and 179a. These distances should ensure there will no significant levels of overlooking from first floor windows onto the private amenity of adjacent properties or any unduly significant overbearing affect or dominance experienced.</p> |
| 9.56 | <p>In terms of the amenity of prospective residents it is apparent the layout has been heavily informed by the change in ground levels across the site with generous separation distances and minimal cut and fill ensuring there is no unduly significant overlooking and/or dominance from proposed back to back relationships.</p> |
| 9.57 | <p>In terms of the management and maintenance of the proposed open space Lagmore View and Glen Housing Development is already subject to the management and maintenance regime provided by The Greenbelt Company. The applicant has confirmed that new dwellings and areas of open space (as per the longstanding agreement between Greenbelt and the Developer) will be added to the Greenbelt agreement. This includes the existing Green within the application site which is presently maintained by the applicant but has not been formally handed over to the Greenbelt Company as the development is unfinished. It is advised that the management of the open space should be secured through a Section 76 agreement.</p> |
| 9.58 | <p>Affordable Housing Provision</p> <p>Policy HOU5 of the Plan Strategy applies to all proposals for residential development of 5 units or greater (or 0.1 ha or more) and requires a minimum of 20% of the total number of units to be affordable (consisting of social rented housing and/or intermediate housing). The affordable housing should be provided as an integral part of mixed tenure development, integrated with general needs housing and not readily distinguishable in terms of external design, materials and finishes.</p> |

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| 9.59 | Given that the application proposes a total of 14 units, at a minimum it is expected that three of those units should be affordable to ensure policy compliance. The Plan Strategy Statement submitted as part of the application documentation states that the applicant believes that it should be achievable to market three dwellings suitable for co-ownership. Plots 179, 179A and 168 are earmarked for this purpose. However, whilst the units at plots 179 and 179A are currently anticipated to be valued at £171,000, the proposed affordable unit at plot 168 is indicated to have a value of £193,500. This is currently above the property value limit for a co-ownership property and is therefore not at present deemed suitable for this purpose. |
| 9.60 | The applicant has stated that they are aware of the price points regarding the co-ownership threshold and has put forward a strategy as to how the affordable housing complement will be met. They state that the bungalows are well within the Co-ownership range and these also meet the wheelchair accessibility standards. The applicant argues that the third dwelling referenced as a potential for co-ownership is a small fraction over the current threshold for co-ownership and it is not beyond the realms of possibility that the threshold will be revised or alternatively the applicant adjusts the price point accordingly to suit, allowing all three units to be sold as intermediate housing through co-ownership. |
| 9.61 | However, the applicant had initially asked that the affordable housing allocation not be specifically tied to any particular plot as there could be a subsequent social housing need for the larger family homes. This presents the opportunity for the applicant to build the homes and the Northern Ireland Housing Executive/ Housing Association to buy off the shelf. The agent believes that this other option has been vindicated by the NIHE response that has since verified that the need within the area is for larger family homes. |
| 9.62 | In order to be completely tenure blind, the potential social housing units should make use of the proposed house types as these are already prevalent within the wider development. However, should there be a requirement to submit a future application to make amendments to the houses at the behest of the HA, this is entirely manageable through the terms of a Section 76 planning agreement which applies to the land and future assigns. |
| 9.63 | The application was submitted in July 2021 and the applicant has said that it is critical for a decision to be reached on the application. Delegated authority is sought for the Director of Planning and Building Control to negotiate a suitable alternative that would secure a minimum of three of the units as affordable housing and this would be secured through the Section 76 planning agreement. This would give the applicant the certainty that the Council is supportive of the application in principle. Should the negotiations not be successful, the application would be reported back to the Committee. |
| 9.64 | Drainage and Flooding There are no watercourses within this site. The site is bounded at the south-west by an undesignated watercourse. Neither DFI Rivers nor NIW have objected to the proposal. |
| 9.65 | Other Environmental Matters Environmental Health has offered no objections in terms of potential environmental or amenity impacts. Similarly, DAERA has offered no objections in terms of environmental impacts. It should be noted that the principle of residential development has already been established on part of the site through the granting of previous planning permissions. The proposal is considered compliant with Policy ENV1. |

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| 9.66 | Policies ENV2 and ENV3 require new development to incorporate measures to mitigate and adapt to environmental change and promote sustainable patterns of development. To this effect the proposed inclusion of PV panels is welcomed. Their provision can be secured via planning condition. |
| 9.67 | <p>The level of cut/fill has been minimised through the use of split level dwellings at the lower level, landscaped retaining banks etc that minimises the heights of retaining walls and minimises the amount of soil that could potentially have to be removed from the site. The sketch cross section below shows the implications of the additional cut and resulting retaining wall heights if a traditional 2 storey dwelling was to be employed at the lower level along with a level garden.</p> |
| 9.68 | Rainwater harvesting butts are proposed with specifications provided. These will be secured via planning condition. |
| 9.69 | Policy ENV5 requires that Sustainable Urban Drainage Systems (SUDS) are included where appropriate. The agent has stated that the development had always contained an element of SuDS, preceding the adoption of the Plan Strategy, through the provision of soakaways in the lower gardens. The site layout plan has been annotated that it is to be read in conjunction with the measures that have been deemed suitable. |
| 9.70 | <p>Impact on Existing Electricity Infrastructure</p> <p>NIE initially commented that the lands affected by the proposal have Extra High Voltage (EHV) overhead lines, High Voltage (HV) underground cables and associated equipment in the area of the proposal.</p> |
| 9.71 | Following discussions with the applicant, NIE has confirmed that an alteration to the overhead lines has been proposed to facilitate the development. As such NIE have offered no objection to the proposal. |
| | Section 76 planning agreement |
| 9.72 | <p>A planning agreement is required to secure the following:</p> <ul style="list-style-type: none"> • Provision of a minimum of three of the units to be delivered as affordable housing • Laying out and long term management of the proposed open space • Green travel plan and travel measures |

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| 9.73 | <p>Pre-application Community Consultation</p> <p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p> |
| 9.74 | <p>Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A Proposal of Application Notice (PAN) was submitted to Belfast City Council on 26th August 2020 (Ref: LA04/2020/1696/PAN).</p> |
| 9.75 | <p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> |
| 9.76 | <p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> • Advertisements were placed within the Belfast Telegraph, Irish News and Andersonstown News in the Public Information Notice Section. These appeared on Monday 21st September 2020 and Wednesday 23rd September 2020. These invited members of the public to visit the bespoke website and provided full contact details of the design team. • Elected representatives including local councillors, MLAs, and the local constituency MP, were informed of the PACC by email correspondence on 1st September 2020 in advance of the leaflet/postal information being circulated and the website going live. • Within a 200m radius out from the edge of the proposed site, hardcopy leaflets (including pre-paid envelopes for returning comment cards) were circulated to c. 400 no. addresses in the vicinity of the proposal on Tuesday 29th September 2020. The leaflet highlighted the Digital PACC and contained details of the site location, information on the design proposals, tear-off return comment card, and details of how to contact the design team. • A total of 33 no. responses were received to the PACC via various mediums. Of these responses 17 no. were via the bespoke website comment card return, 13no. via leaflet comment card and 3no. emails directly to the design team. Throughout the course of the consultation process, returned feedback forms and emails were monitored to ensure that all comments were directly related to the proposals. • Whilst there is overall majority support for the finishing of the Lagmore development with the proposed format of housing, concerns naturally remained over road safety along Lagmore View Road. Some responses also questioned if this would lead to the provision of a bus route; however, Translink have previously stated that there will be no changes to the bus route without the consent of the local community. Perhaps over time this may be possible only once community confidence is restored through the road safety measures. Some residents identified that they would like a play area. The open space proposals have been revised to omit the play area due to the presence of powerlines across the site. |

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| 9.77 | <ul style="list-style-type: none"> The increased capacity of on-street bay parking was well received, as a step towards addressing conveyed shortcomings of existing infrastructure within the wider Lagmore development. The Lagmore View & Glen Residents Association vocalised their unanimous support for the proposal and welcomed the inclusion of bollards and traffic calming measures along the spine road. However, some residents expressed concern that the road safety improvements proposed may not tangibly make a difference to road user driving habits. <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p> |
| 10.0 10.1 | <p>Recommendation: Approval</p> <p>For the reasons set out in the report, it is recommended that planning permission is approved. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement – including the requirement to secure three of the units as affordable housing – and deal with any other issues that may arise from outstanding consultations.</p> |
| 11.0 | <p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. <p><i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i></p> <ol style="list-style-type: none"> Prior to occupation of the 8th dwelling hereby approved, the proposed road improvement works to the roadway, including realignment and traffic calming measures, shall be carried out and completed in accordance with approved plan 96-743-340 published on Planning Portal 08/09/23. The 8th dwelling shall not be occupied until written evidence that the road improvements works have been completed has been submitted to and approved in writing by the Council. <p><i>Reason: The delivery of the road improvement works is part of the justification for the council granting planning permission on open space.</i></p> <ol style="list-style-type: none"> All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. <p><i>Reason: In the interests of the character and appearance of the area.</i></p> |

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| | <p>4. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p><i>Reason: In the interests of amenity.</i></p> <p>5. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p><i>Reason: In the interests of amenity.</i></p> <p>6. The climate mitigation and resilience measures shall be implemented prior to occupation of each dwelling and shall be retained such.</p> <p><i>Reason: In the interests of mitigating climate change.</i></p> <p>7. No external materials, including walling and roof materials, shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external materials.</p> <p><i>Reason: In the interests of the character and appearance of the area.</i></p> <p><i>Other conditions to be required including transport/access conditions to be advised by DfI Roads in their final consultation response.</i></p> |
| | <p>Notification to Department (if relevant)</p> <p>Not required.</p> |
| 13.0 | Representations from elected members: None received |
| Neighbour Notification Checked Yes | |

| ANNEX | |
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| Date Valid | July 2021 |
| Date First Advertised | 13th August 2021 |
| Date Last Advertised | 13 th August 2021 |

Details of Neighbour Notification (all addresses)

1 Lagmore View Way,Dunmurry,Antrim,BT17 0FP
10 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
10 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
105 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
105 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
106 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
106 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
107 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
107 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
107 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
108 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
108 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
109 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
109 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
11 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
110 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
110 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
111 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
112 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
113 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
114 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
115 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
119 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
12 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
12 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
120 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
121 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
122 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
123 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
14 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
14 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
148 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
149 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
15 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
150 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
151 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
152 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
153 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
154 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
155 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
156 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
157 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
158 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
159 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
16 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
16 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
160 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
161 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
162 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN

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| 163 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 164 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 165 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 166 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 17 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 8 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 18 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 19 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 1a ,Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 2 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 20 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 20 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 21 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 22 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 22 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 23 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 24 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 24 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 25 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 26 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 26 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 27 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 28 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 29 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 3 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 31 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 33 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 35 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 37 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 37 Lagmore View Road, Dunmurry, Antrim, BT17 0FN | |
| 38 Lagmore Glen,Dunmurry,Antrim,BT17 0UZ | |
| 39 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 4 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 40 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 42 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| Allannah McDonald | |
| 48 Lagmore View Road Dunmurry Antrim | |
| 5 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 6 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 7 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN | |
| 8 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| 81 Lagmore Glen,Dunmurry,Antrim,BT17 0WJ | |
| 81 Lagmore View Road, Dunmurry, Antrim, BT17 0FN | |
| 82 Lagmore Glen,Dunmurry,Antrim,BT17 0WJ | |
| 82 Lagmore View Road, Dunmurry, Antrim, BT17 0FN | |
| 9 Lagmore View Road,Dunmurry,Antrim,BT17 0FR | |
| Date of Last Neighbour Notification | 3rd November 2021 |
| Date of EIA Determination | N/A – extant permission on wider site. |

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| ES Requested | N/A |
| Notification to Department (if relevant) Date of Notification to Department: Response of Department: | |

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| Addendum Report 2 | |
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| Committee Meeting Date: 21 st January 2025 | |
| Application ID: LA04/2022/2103/F | |
| Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. | Location: 1 and 2 Duncrue Pass Belfast BT3 9BS. |
| Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation (discretion of the Director of Planning and Building Control) | |
| Recommendation: | Approve with conditions |
| Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR | Agent Name and Address: Jobling Planning & Environment Ltd 1A Nixon Building LED COM Business Park 100 Bank Road Larne BT40 3AW |
| Valid Date: 3 rd October 2022 | |
| Target Date: (15 weeks) 15 th January 2023 | |
| Contact Officer: Ed Baker, Planning Manager (Development Management) | |
| Background <ol style="list-style-type: none"> 1. This application was first due to be considered by the Planning Committee at its 17th October 2023 meeting. However, the application was deferred for two reasons. Firstly, in order that Members could undertake a site visit. A Committee site visit subsequently took place on Monday 13th November 2023, but because Members could not access the land during this visit a further site visit took place on 10th January 2024. 2. Secondly, that the issues raised by Shared Environmental Services (SES) in their consultation response could be resolved. Those issues have subsequently been resolved as set out in the Addendum Report 1 to the 10th December 2024 Committee, appended. 3. The application was due to be considered again at the 10th December 2024 Committee. However, the application was deferred for a further site visit in view of the fact that are a number of new Elected Members on the Committee who did not previously visit the site. The site visit is due to take place on 14th January 2025. 4. This report should be read in conjunction with the original Committee report and Addendum 1 report, appended. Additional clarification <ol style="list-style-type: none"> 5. Following discussion with the Chair, the following clarification is provided in relation to the proposal and application process. This should further assist the Committee in its consideration of the application. | |

Proposed Use:

6. The proposal is for the incineration of healthcare, hazardous and other waste.
7. Healthcare waste – this includes waste from hospitals, clinics, surgeries, dentists, vets, community health care and care homes. Examples include “sharps” (needles and syringes), anatomical waste, medicines and contaminated PPE. The applicant states that incineration is necessary for some wastes such as certain drugs, sharps and anatomical waste. Other forms of waste can be treated by other means such as autoclaving or sterilisation.
8. The applicant states that the proposal is an on-island solution, and an alternative to shipping waste to GB or Europe.
9. Hazardous waste – this includes waste from industrial and commercial processes, laboratories and government controlled sources (e.g. confiscated alcohol, drugs and tobacco).
10. Other waste – this includes waste from the travel industry, such as Regulated International Catering Waste (RICW) from planes and cruise ships e.g. sanitary and non-food catering waste. The applicant states that these other wastes would constitute around 5% to 10% of the total input. The “waste streams” will be controlled through the Pollution Prevention Control (PPC) permit administered by DAERA NIEA.
11. The proposed facility has a capacity of 20,000 tonnes of waste per annum. The Island of Ireland generates around 43,000 tonnes of clinical waste annually (13,000 tonnes in NI and 30,000 tonnes in ROI).
12. The 20,000 tonnes pa would be capped by the PPC permit.
13. The applicant states that there are no proposals to import waste. It states that this would require additional licensing under the PPC permit. Officers advise that the Committee could impose a condition preventing the importation of waste from outside the Island of Ireland if it felt it necessary to make the development proposal acceptable.
14. The proposed facility can generate up to 10 MW in heat, which could convert to 1-2 MW electricity. The applicant states that this amount of energy could power 2,000 to 4,000 homes annually.
15. In order of priority, the primary energy use will be as a local heat supply; then local electricity source; finally, exported to the National Grid.
16. The applicant states that the facility is designed to minimise energy loss and maximise energy recovery and efficiency.

Application process:

17. Officers advise that publicity of the application has been carried out in accordance with the statutory requirements, i.e. Neighbour Notification; advertisement in the press; and NI Planning Portal.
18. No residential neighbours have been notified as there are no residential neighbours adjacent to the site.
19. The proposal is not for Major development. Therefore, there is no statutory requirement for the applicant to undertake “Pre-Application Community Consultation”. However, the applicant undertook a voluntary pre-application community consultation process before the application was made. This was undertaken by the applicant in view of the sensitive nature of the proposal.

20. The method of pre-application community consultation included: engagement with local political representatives, newspaper advertisement and leaflet drop (within 200m of site).
21. 3 feedback forms were received – 2 in favour of the proposal and one objecting, advocating a public park instead. There were concerns about odour emissions.

Recommendation

22. Having regard to the development plan and other material considerations, and for the reasons set out in the previous reports, the proposal is considered acceptable.
23. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated.

Reason: In the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking within the site.

5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No piling shall be undertaken unless a piling risk assessment, carried out in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted to and approved in writing by the Council. The methodology is available at:
<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

No piling shall be undertaken unless in accordance with the approved details.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and agreed in writing by the Council.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11. The use hereby permitted shall be restricted to the incineration of healthcare and hazardous waste streams.

Reason: In the interests of environmental protection and public health and to ensure that there is no adverse effect on site integrity of any European designated site.

| Addendum Report 1 | |
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| Committee Meeting Date: 10 th December 2024 | |
| Application ID: LA04/2022/2103/F | Target Date: |
| Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. | Location: 1 and 2 Duncrue Pass Belfast BT3 9BS. |
| Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation (discretion of the Director of Planning and Building Control) | |
| Recommendation: | Approve with conditions |
| Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR | Agent Name and Address: Jobling Planning & Environment Ltd 1A Nixon Building LED COM Business Park 100 Bank Road Larne BT40 3AW |
| <p>Background</p> <ol style="list-style-type: none"> 1. This application was to be considered by the Planning Committee at its 17th October 2023 meeting. However, the application was deferred for two reasons. Firstly, in order that Members could undertake a site visit. A Committee site visit subsequently took place on Monday 13th November 2023, but because Members could not access the land during this visit a further site visit took place on 10th January 2024. 2. Secondly, that the issues raised by Shared Environmental Services (SES) in their consultation response could be resolved. <p>Natural Heritage</p> <p><i>Initial submission of further information by applicant:</i></p> <ol style="list-style-type: none"> 3. Following the 17th October 2023 Committee meeting, the applicant provided clarification of a number of technical matters. SES subsequently confirmed that it did not require any further information. SES undertook an HRA assessment and advised that the project would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. <p><i>Reconsideration of ammonia impacts:</i></p> <ol style="list-style-type: none"> 4. The application was then due to be considered at the 16th January 2024 Committee meeting. However, DAERA NED advised that it had withdrawn its previous standing advice on ammonia impacts and that it would require a re-consultation to reconsider the proposal under its new approach of assessing impacts on a case by case basis. | |

5. Consequently, DAERA NED was re-consulted on 16th January 2024. It responded on 31st May 2024, advising that it had insufficient information to provide a substantive response. It required an updated air quality impact assessment to include both nitrogen deposition and ammonia emissions as well as clarification of the type of fuel and total thermal input capacity of the proposal.
6. The applicant submitted further information on 17th July 2024 and DAERA NED was re-consulted on the same day.
7. DAERA NED responded to the further additional information on 20th September 2024. Whilst it acknowledged the additional information, DAERA NED remained of the opinion that there was still insufficient information and requested further information regarding the 5-year Process Contributions (PCs) in relation to ammonia and nitrogen oxides.
8. The applicant submitted further information on 23rd September 2024 and DAERA NED was re-consulted the same day.
9. DAERA NED responded on 17th October 2024, confirming that *'the Air Pollution Advisory Framework had been followed and confirmed that the proposal represents a low risk to the qualifying features for which the sites have been designated.'* A full copy of DAERA's latest consultation response is provided at **Appendix 1**.
10. Shared Environmental Services (SES) requested that it is reconsulted when DAERA NED was content. SES was reconsulted again and provided a final response on 29th November 2024, advising that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. A full copy of SES's latest consultation response is provided at **Appendix 2**.
11. As previously requested by the Committee, SES and DAERA have been invited to attend the meeting to field any questions that the Committee may have.

Recommendation

12. Having regard to the development plan and other material considerations, the proposal is considered acceptable.
13. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated.

Reason: In the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking within the site.

5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No piling shall be undertaken unless a piling risk assessment, carried out in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted to and approved in writing by the Council. The methodology is available at:
<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

No piling shall be undertaken unless in accordance with the approved details.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and agreed in writing by the Council.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11. The use hereby permitted shall be restricted to the incineration of healthcare and hazardous waste streams.

Reason: In the interests of environmental protection and public health and to ensure that there is no adverse effect on site integrity of any European designated site.

Development Management Officer Report

Committee Application

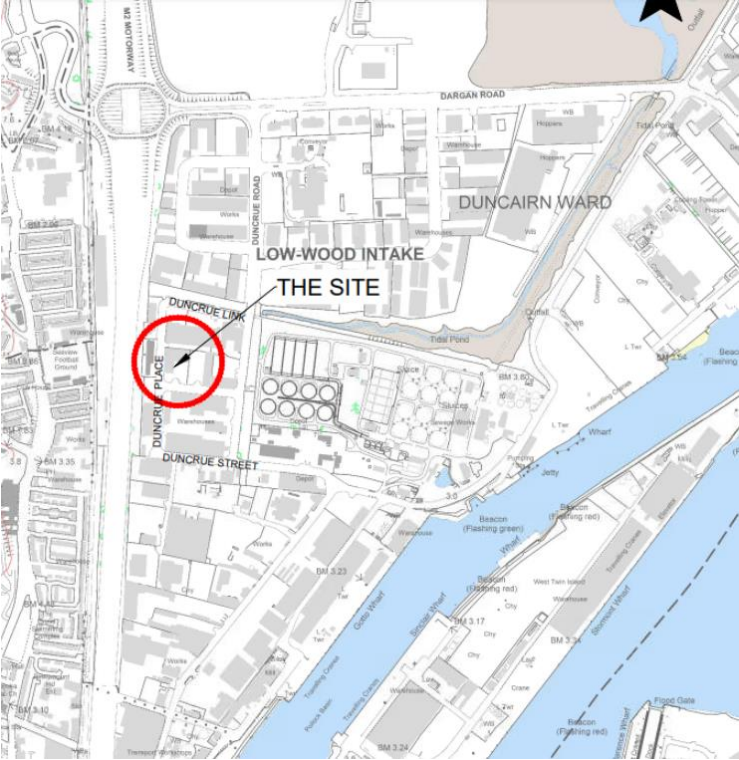
| Summary | |
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| Committee Meeting Date: 17/10/2023 | |
| Application ID: LA04/2022/2103/F | Target Date: |
| Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. | Location: 1 and 2 Duncrue Pass Belfast BT3 9BS. |
| Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation | |
| Recommendation: | Approve |
| Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR | Agent Name and Address: Jobling Planning & Environment Ltd 1A Nixon Building LED COM Business Park 100 Bank Road Larne BT40 3AW |
| <p>Executive Summary:</p> <p>This application seeks full planning permission for a proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> Principle of development Natural Heritage and Impact on ecology Impact on water / marine environment Design, Layout and Visual Impact Impact on Amenity and Environmental Health (Noise, Air Quality and Land Contamination) Access, parking and transport Flood risk Waste Infrastructure <p>Recommendation</p> <p>It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment.</p> | |

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

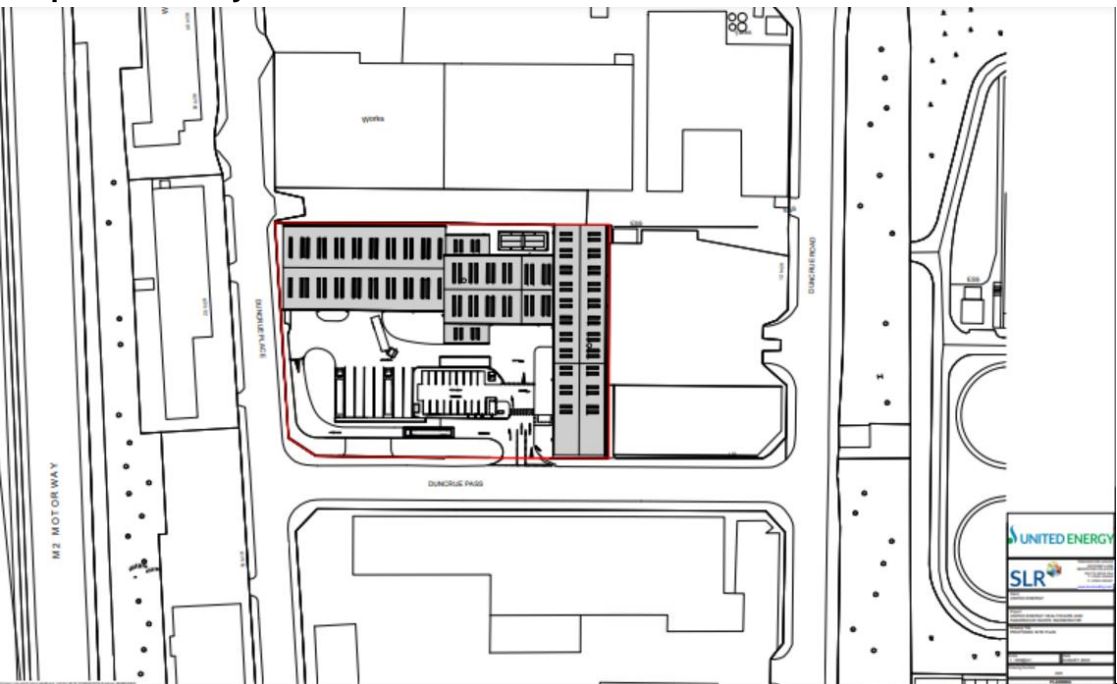
Officer Report

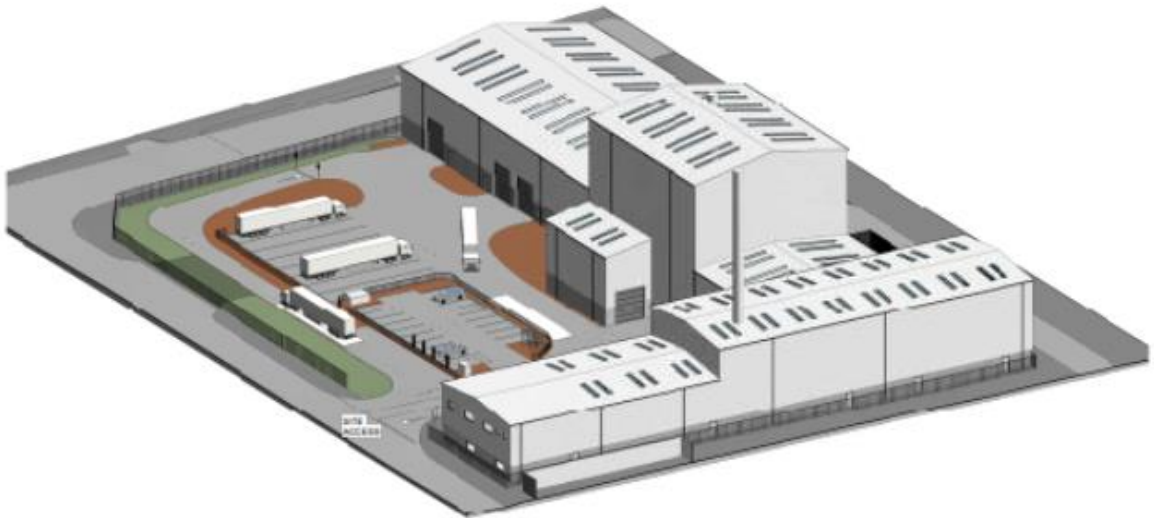
1.0 Drawings

Site Location



Proposed Site layout



Sketch Views:

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| 2.0 | Characteristics of the Site and Area |
| 2.1 | The site comprises Units 1 and 2 Duncrue Pass, and it lies within the Belfast Harbour Estate which is predominantly industrial in nature. The site is situated in the west of this industrial estate and is located on the corner of Duncrue Pass and Duncrue Place and extends to approximately 0.99 Ha in area. |
| 2.2 | The surrounding land uses comprise a mixture of Class B2 Light Industrial; B3 General Industrial; Class B4 Storage and distribution; and waste management facilities (sui generis). To the south and west, the site is abutted by the two roads, Duncrue Pass and |

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| 2.3 | <p>Duncrue Place, which separate it from the adjoining industrial warehouse units. To the north is a former waste Materials Recovery Facility (Irish Recycling Services) which is now dormant. The M2 Motorway is located approximately 75 metres to the west of the site and this physically separates the Duncrue Industrial area from the rest of Belfast.</p> <p>Unit 1 currently comprises an existing waste transfer station and materials recovery facility operated by Ace Bates Skip Hire Ltd and planning permission was recently granted to extend this waste management use into the adjoining Unit 2. Unit 2 is currently leased by Speedy Hire, which operates a commercial plant hire business.</p> |
| 3.0 | Description of Proposal |
| 3.1 | The proposal seeks to change the use of the existing sui generis waste management use to create a thermal treatment facility for the incineration of clinical and hazardous waste streams. The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion to up to 2-3MW of electricity. |
| 3.2 | <p>The proposed waste management site operations will involve these 4 key stages;</p> <ul style="list-style-type: none"> • Reception and secure of incoming waste • Thermal treatment by incineration • Removal of recycle component parts • Energy Recovery |
| 3.3 | <p>It is anticipated the facility will accept healthcare waste (hazardous & non-hazardous) from the following streams:</p> <ul style="list-style-type: none"> • Hospitals • Pharmacies • Dentists • Care Homes • Veterinary • Sanitary wastes • Waste from Shipping / Air Travel industry • Other hazardous waste contractors and waste producers |
| 4.0 | Planning Policy and Other Material Considerations |
| 4.1 | <p>Development Plan – Operational policies Belfast Local Development Plan, Plan Strategy 2035</p> |
| 4.2 | <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> |
| 4.3 | <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> |
| 4.4 | <p>Relevant Planning Site History <u>Application Site:</u> Z/2006/2897/F - Erection of waste processing plant, with associated car parking and siteworks – Approved</p> |

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| | <p>Z/2010/0585/F - Proposed extension to existing waste sorting and treatment facility building to provide additional storage and processing area and permit the acceptance of road sweeping wastes – Approved</p> <p>Z/2012/1294/F - Proposed modifications to existing WTS/MRF facility to include an extension to the existing building, covered yard area, changes to internal layout and additional processing infrastructure. Including internal storage bays, storage of baled RDF, biomass boiler and the acceptance of additional EWC codes – Approved</p> <p>LA04/2020/0791/F - Proposed extension to existing MRF facility to include extension to existing building no.1. Change of use of adjoining site to provide additional floorspace - Approved</p> <p>LA04/2021/2145/PAN - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works – Decided</p> |
| 5.0 | Consultations and Representations |
| 5.1 | <p>Statutory Consultations</p> <p>DfI Roads – No objection, subject to conditions.</p> <p>NI Water – No objection.</p> <p>DAERA NIEA – No objection.</p> <p>DFI Rivers – No objection.</p> |
| 5.2 | <p>Non-Statutory Consultations</p> <p>BCC Environmental Health – No objection, subject to conditions.</p> <p>Shared Environmental Services (SES) – Response outstanding.</p> <p>NIE – No objection.</p> |
| 5.3 | <p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> |
| 5.4 | <p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received one non-committal representation dated 24th August from a representative of clients in the vicinity of the proposal. The representation requested assurances that the application will not be determined until they have had sufficient time to review the proposal and reserved the right to make further representation, either in support of or objection to the proposal.</p> |

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| 6.0 | PLANNING ASSESSMENT |
| 6.01 | <p>Environmental Impact Assessment</p> <p>An Environmental Statement (ES) was submitted as part of the application in line with the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. This assessed the environmental impacts of the proposed development.</p> |
| 6.02 | <p>Habitats Regulations</p> <p>This planning application is being considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p> |
| 6.03 | <p>Shared Environmental Services were consulted on 4th October 2023 and their comments are currently outstanding on date of publication.</p> |
| 6.04 | <p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> |
| 6.05 | <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> |
| 6.06 | <p>The Development Plan is the Belfast Local Development Plan (LDP), which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The LDP is in two parts: Part 1 is the Plan Strategy (PS), which was adopted on 02 May 2023. Part 2 is the Local Policies Plan (LPP), which will provide the zonings and proposals map for Belfast and has yet to be published.</p> |
| 6.07 | <p>Operational policies – the LDP PS contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> |
| 6.08 | <p>Proposals Maps – until such time as the LPP is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the BUAP, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process.</p> |
| 6.09 | <p>The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted BUAP. dBMAP identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry.</p> |
| 6.10 | <p>Relevant Planning Policies/Guidance</p> <p>The following policies/guidance in the Plan Strategy are relevant to consideration of the application.</p> |
| 6.11 | <p>Regional Development Strategy for Northern Ireland (RDS) 2035 Strategic Planning Policy Statement (SPPS) Policy SP1A – Managing growth and supporting infrastructure delivery</p> |

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| | <p>Policy SP2 – Sustainable development</p> <p>Policy EC3 – Major employment and strategic employment locations</p> <p>Policy W1 – Environmental impact of a waste management facility</p> <p>Policy W2 – Waste collection and treatment facilities</p> <p>Policy TRAN 3 – Transport Assessment</p> <p>Policy TRAN 6 – Access to Public Roads</p> <p>Policy TRAN 8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality</p> <p>Policy ENV2 – Mitigating Environmental Change</p> <p>Policy ENV 4 – Flood Risk</p> <p>Policy NH1 – Protection of Natural Heritage Resources</p> |
| 6.12 | Supplementary Planning Guidance – Waste Infrastructure |
| 6.13 | <p>Principle of development</p> <p>The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted Belfast Urban Area Plan 2001. The draft Belfast Metropolitan Area Plan 2015 identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry. Policy EC3 states that appropriate sui generis uses will be directed towards Major employment locations, such as Belfast Harbour. Para 8.1.23 states that such areas are considered suitable for certain 'sui generis' uses as they could potentially harm residential amenity and are therefore considered most suited to an industrial estate.</p> |
| 6.14 | <p>There are multiple waste management facilities within the wider Duncrue area, including Irish Waste, McKenzies NI, River Ridge and McKinstry Waste Transfer Station, which are all located in very close proximity to the site. The proposed use is in keeping with the mixed industrial and waste uses within the Belfast Harbour Estate. The Industrial Estate comprises a coarse urban grain, with large, condensed blocks of industrial development, arranged around wide streetscapes, reflective of the industrial nature of the context. The scale and massing of the built form is large and dense and comprises mainly substantial industrial buildings.</p> |
| 6.15 | <p>Regional Development Strategy for Northern Ireland 2023</p> <p>The RDS identifies the Belfast Harbour Industrial Estate as a location for growth through its Strategic Planning Guidelines and encourages opportunities for job creation.</p> |
| 6.16 | <p>Policy RG5 relates to the delivery of a sustainable and secure energy supply. It states that Northern Ireland needs a robust and sustainable energy infrastructure and advises that new generation infrastructure should be designed to avoid adverse environmental impacts, particularly on or near to protected sites.</p> |
| 6.17 | <p>Strategic Planning Policy Statement (SPPS)</p> <p>The SPPS advises that Planning authorities should take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Planning authorities should also recognise and encourage proposals that could make an important contribution to sustainable economic growth when drawing up new plans and taking decisions. The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area.</p> |
| 6.18 | <p>The SPPS position on Waste Management is a key operational policy for this proposal. There is a presumption in favour of development unless it will cause demonstrable harm. The SPPS also acknowledges that the provision of waste facilities and infrastructure can make a valuable contribution towards sustainable development. The aim of the SPPS in</p> |

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| | <p>relation to waste management is to support wider government policy focused on the sustainable management of waste and a move towards resource efficiency. The key objectives of the SPPS are to promote waste development in appropriate locations, ensure that detrimental impacts on people, the environment and local amenity are avoided or minimised and secure appropriate restoration of sites for after-use.</p> |
| 6.19 | <p>General Overview of Development</p> <p>This proposal primarily relates to the treatment of healthcare and hazardous waste and a small proportion of other wastes such as those arising from planes and the cruise ship industry. In addition, a small number of hazardous waste streams that are currently collected and exported out of the country shall be treated at this facility.</p> |
| 6.20 | <p>This proposed waste management facility will meet a deficit in the infrastructure in Northern Ireland (NI) and Ireland (ROI) and will offer a solution for the Island of Ireland for the treatment of healthcare waste, that is currently shipped to the UK or other parts of Europe for disposal or recovery. There is currently no high temperature incineration facility for healthcare and hazardous waste currently in NI / ROI, other than at industrial sites operated by individual waste producers. A proportion of the less difficult healthcare waste is still currently landfilled in Ireland.</p> |
| 6.21 | <p>The proposed facility will deliver a self-sufficient and safe way of disposing of these types of waste within the country of origin, reducing reliance on overseas transport, traditional landfill disposal and will remove the need to export this waste to other countries for treatment, as is currently the practice.</p> |
| 6.22 | <p>The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion up to 1-2MW of electricity. It is proposed that the energy generated onsite will be used to provide the operation of the plant, and other nearby businesses with a source of heat energy and electricity.</p> |
| 6.23 | <p>Impact on Water Environment</p> <p>DAERA NIEA Marine and Fisheries Division (MFD) note that the proposed development is in close proximity to Belfast Lough, a Shellfish water protected area. DAERA NIEA Water Management Unit (WMU) advise that if NI Water are content that both Belfast WWTW and associated sewer network can take the additional load from the proposal, they will have no objection to that aspect of the proposal. WMU have recommended a condition in relation to sewage disposal agreement in the event of approval. NIW have offered no objection in respect of the proposal.</p> |
| 6.24 | <p>Impact on Ecology</p> <p>DAERA NIEA Natural Environment Division (NED) note the application site is in close proximity and hydrologically linked to the following national, European and international designated sites:</p> <ul style="list-style-type: none"> • Belfast Lough Ramsar • Belfast Lough Special Protection Area (SPA) and Belfast Lough Open Water SPA • Inner Belfast Lough Area of Special Scientific Interest (ASSI), Outer Belfast Lough ASSI, Belvoir ASSI and Craigtlet Woods ASSI. |
| 6.25 | <p>A Biodiversity checklist and additional environmental information were submitted in support of the proposed development. NED noted potential impacts on the designated sites, specifically contamination of aquatic environment and associated habitats via sedimentation hydrocarbon spills and leachate from building materials and airborne pollutants that can affect aquatic and terrestrial environments. NED also acknowledged</p> |

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| | that the proposal is located within an existing operational industrial unit. NED concluded that they had considered the potential impacts and are content with the proposal. |
| 6.26 | <p>Impact on Amenity and Environmental Health</p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The development has taken wider health considerations into account through the design process and the effects on wider human health are anticipated to be negligible. The nearest residential properties are located over 250 metres from the application site in the Shore Road area to the west.</p> |
| 6.27 | <p>Air Quality</p> <p>An Air quality impact assessment (AQIA) has been submitted as part of the Environmental Statement. BCC Environmental Health (EHO) have advised that long and short-term ambient air quality impacts from the development are predicted to result in a 'not significant' effect at considered human receptor locations. Consequently, EHO conclude that the submitted AQIA adequately demonstrates that the proposal will not have an adverse impact upon air quality in the vicinity of the proposal and that relevant human health receptors will not be exposed to air quality concentration exceeding air quality objectives. EHO also advise they have no concerns regarding air quality during the construction phase.</p> |
| 6.28 | <p>Contamination</p> <p>A Preliminary and Generic Quantitative Risk Assessment (PRA & GQRA) report has been provided in support of the planning application. The GQRA is informed by site investigations and environmental monitoring data. Following consultation with both NIEA Land and Regulation Unit and EHO, it is considered that no unacceptable risks to environmental receptors have been identified for the development. Conditions have been provided in relation to contamination from both consultees, in the event of approval.</p> |
| 6.29 | <p>Noise</p> <p>A Noise impact assessment (NIA) has been submitted as part of the Environmental Statement. The NIA presents predicted levels and conclusions which suggest that the development is acceptable in principle in terms of noise impact. EHO also note that the proposed process will be subject to the legislative requirements under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 which as a part A process, will be enforced by DAERA. The subsequent application for a Part A permit will require a BS4142 noise assessment to be conducted and submitted to DAERA for review and a decision to issue the permit with or without conditions. Consequently, EHO have not suggested conditions in relation to noise.</p> |
| 6.30 | <p>Economic Development</p> <p>The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area. The proposal would also be compliant with Policy EC3 – Major employment and strategic employment locations. A key priority is to focus economic development in the city's key employment area and directs new employment development towards Belfast Harbour Major Employment Location.</p> |
| 6.31 | <p>Design, layout and Visual Impact</p> <p>In terms of the physical development, this proposal involves four component parts, relating to Building 1, Building 2 and Yard. The proposal involves the change of use and physical modification of the existing Building 1, to remove existing bay involving a reduction in the total floorspace. The proposal also includes an extension to Building 1, to extend it laterally to connect to building 2. This extension measures 29.36 m to the ridge and forms the</p> |

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| | highest building within the site. The use of Building 2 is proposed to change from Class B2 & B4 and includes modifications to extend the ridge height of part of the building (to 17.37 m) and the installation of a flue, 36 m in height. The proposal also includes the reconfiguration of the external yard area. |
| 6.32 | The scale and massing of the built form of the area is large and dense and comprises mainly substantial industrial buildings. It is acknowledged that the proposed buildings and flue are large, however given the existing character of the surrounding area, it is not considered that the visual impact of the proposal will be detrimental. |
| 6.33 | <p>Access, parking and transport</p> <p>The proposal has been assessed against Policy TRAN3, TRAN 6 and TRAN8. In assessing the proposal, DFI Roads considered a number of supporting documents, including a Traffic Flow Assessment and Transport section within the environmental statement (Chapter 15). DFI Roads offer no objection to the proposal, subject to conditions.</p> |
| 6.34 | <p>Flood Risk, Drainage & Infrastructure capacity</p> <p>The application has been assessed against Policy ENV4 - Flood Risk. The application site is not impacted by the floodplain, however a Drainage assessment was submitted as part of the Environmental Statement. DFI Rivers provided comments on the submitted information and accept the logic, therefore offering no objection. The proposal is suitably designed to meet the drainage requirements.</p> |
| 6.35 | <p>Mitigating Environmental Change</p> <p>The proposal includes the part demolition of some of the existing buildings on site, however the proposal incorporates the re-use of two large buildings on the site, in accordance with policy ENV2 of the PS.</p> |
| 6.36 | <p>Waste Infrastructure</p> <p>As per policy W1 – Environmental impact of a waste management facility. Planning permission will be granted for a waste management facility when the following criteria are met:</p> <p><i>(a) The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment;</i></p> <p>All waste storage and thermal treatment will be carried out internally and this will mitigate against any potential risks. A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. This demonstrates that the proposal will not result in adverse harm to human health or the environment.</p> <p><i>(b) The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;</i></p> <p>The proposal is compatible with an approved adjacent land use and the pre-existing use of the Building 1 as a waste management facility and equally the site is compatible with adjacent land uses which comprise a mix of industrial and other waste management uses.</p> <p><i>(c) The visual impact of the waste management facility, ... is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for its landscape quality'</i></p> <p>Similar built form is already established. It is acknowledged that the building is significantly higher than existing, however the visual impact is not considered detrimental in the context of the existing built form and will read as part of the pre-established built development. Furthermore, the proposal will not impact visually on any area designated for its landscape quality.</p> |

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| | <p><i>(d) The access to the site and the nature and frequency of associated traffic movements will not prejudice the safety and convenience of road users or constitute a nuisance to neighbouring residents by virtue of noise, dirt or dust;</i> The annual throughput of waste to be treated at this site is significantly reduced. It is currently licensed to accept 100,000 tonnes per annum and this proposal will reduce that to 20,000 tonnes per annum. This will result in a 59% reduction of daily car/ van movements and 75% reduction of heavy goods vehicles. Therefore, there is a net benefit to road network. Environmental Health have been consulted with regards to noise, dirt and dust and raised no issues.</p> <p><i>e) The public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;</i> As per point (d), this proposal will result in a net reduction of vehicle movements and the network can therefore accommodate this. DFI Roads were consulted and have no objection.</p> <p><i>(f) Adequate arrangements shall be provided within the site for parking, servicing and circulation of vehicles;</i> Adequate parking, turning and servicing of vehicles is proposed as indicated on the drawings.</p> <p><i>(g) Wherever practicable, the use of alternative transport modes, in particular, rail and water, has been considered;</i> Not applicable to this application.</p> <p><i>(h) The development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests;</i> There are no features of nature conservation or archaeological/built heritage interests in close proximity to the site. This is fully demonstrated through the Environmental Statement and Shadow Habitats Risk Assessment.</p> <p><i>(i) The types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures;</i> A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. The Environmental Statement has been assessed by external consultees with no objections, therefore it is considered the proposal will not pose a serious environmental risk to air, water or soil resources.</p> <p><i>(j) the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere;</i> The site is not within a flood plain and would not be at risk from flooding nor exacerbate flooding elsewhere.</p> <p><i>(k) the proposal avoids (as far as practicable) the permanent loss of the best and most versatile agricultural land;</i> There is no impact on agricultural land.</p> <p><i>(l) in the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site.</i> The proposal does not involve landfilling.</p> |
| 6.37 | <p>As per policy W2 – Waste collection and treatment facilities, planning permission will be granted for a treatment facility where:</p> |

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| <p>6.38</p> <p>6.39</p> <p>6.40</p> | <p><i>a. There is a need for the facility as established through the council's WMP or in consultation with the council in relation to projected need for a particular stream.</i></p> <p>The need for this facility is established through the WMS and WMP and will offset the need to export the waste for incineration in other jurisdictions. Furthermore, para 9.2.13 states that the targets contained within the WMS require a significant shift away from landfill to enable a move towards a circular economy, which this proposal supports.</p> <p>The proposal also complies with criterion b1 of policy W2 as it is located within an industrial / port area and the proposal is appropriate to the character of the area.</p> <p>With regard to criterion c of policy W2:</p> <ul style="list-style-type: none"> • The location of the proposed facility relates closely to and benefits from easy access to key transport corridors, including road and water. • The building will be modified to meet the specific requirements of the proposed development; • The waste handling, storage, treatment and processing techniques will be managed and appropriate to the waste stream, with heat and electricity recovery appropriately addressed. • The thermal treatment by incineration will maximise energy recovery in the form of heat and electricity and will be used locally to power adjoining users; and, • The proposal has been subject to a robust Environmental Impact Assessment to ensure the scheme will not result in an unacceptable adverse impact. <p>In assessment of the above waste policies, the proposal is considered acceptable.</p> |
| 7.0 | Recommendation |
| 7.1 | <p>It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p> |
| <p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation of any other works or other development hereby permitted. <p>REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <ol style="list-style-type: none"> 3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated. | |

REASON: In the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

REASON: To ensure adequate provision has been made for parking within the site.

5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: <http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

| ANNEX | |
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| Date Valid | 03/10/2022 |
| Date First Advertised | 17/02/2023 |
| Date Last Advertised | 17/02/2023 |
| Details of Neighbour Notification (all addresses) | |
| 1 DUNCRUE PLACE, LOW-WOOD INTAKE BELFAST, ANTRIM, BT3 9BU 13A DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BP 1B DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1D DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1J DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1P DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1R DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 2-10 DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM BT3 9BN (6 Occupiers) 5 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU | |

9 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU
DFP WORKS DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9DL
MEAT PLANT, 1 DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS

| Addendum Report | |
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| Application: LA04/2024/1744/LBC | Date of Committee: 21 st January 2025 |
| Proposal: Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall | Location: Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS |
| Referral Route: Referral to the Planning Committee under Section 3.8.5 (C) Those made by the Council | |
| Recommendation: Approval | |
| Applicant Name and Address: Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP | Agent Name and Address: Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP |
| Date Valid: 16 th October 2024 | |
| Target Date: 29 th January 2025 | |
| Contact Officer: Ciara Reville, Principal Planning Officer | |
| Background <ol style="list-style-type: none"> 1. This application was due to be considered at the 10th December 2024 Planning Committee meeting. However, the application was deferred for a Committee site visit. The site visit is due to take place on 14th January 2025. 2. This application should be read in conjunction with the original report to the Committee, appended. Recommendation <ol style="list-style-type: none"> 3. Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the variation of condition should be approved. 4. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive. | |

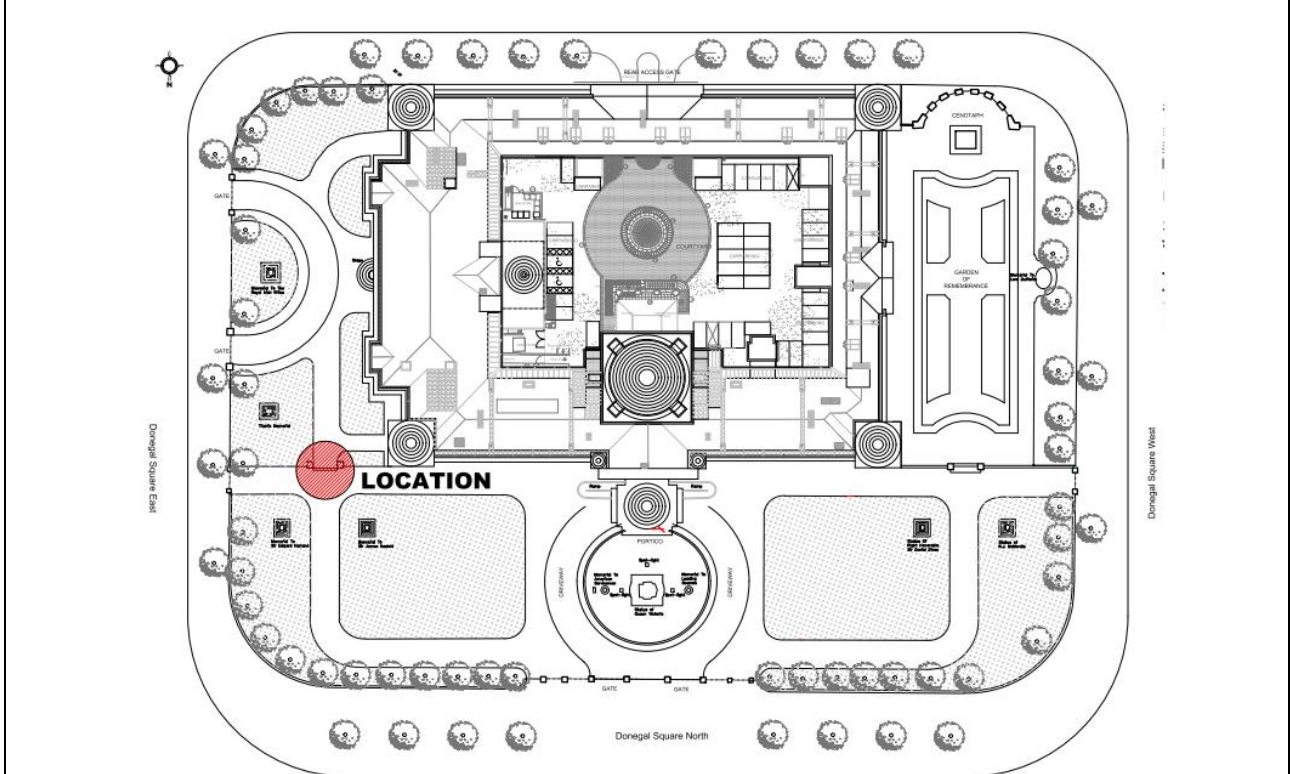
Committee Report

| Development Management Report | |
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| Application ID: LA04/2024/1744/LBC | Date of Committee: |
| Proposal: Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall | Location: Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS |
| Referral Route: Referral to the Planning Committee under Section 3.8.5 (C) Those made by the Council | |
| Recommendation: Approval | |
| Applicant Name and Address: Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP | Agent Name and Address: Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP |
| Date Valid: 16 th October 2024 | |
| Target Date: 29 th January 2025 | |
| Contact Officer: Ciara Reville, Principal Planning Officer | |
| Executive Summary: <p>The application seeks Listed Building Consent to install metal gates at the Titanic Memorial Garden within the grounds of City Hall (Grade A listed).</p> <p>The proposed metal gates will be workshop fabricated to complete the symmetry with those already installed to the remembrance Gardens located to the east side of City Hall</p> <p>Belfast City Hall is a Grade A listed building of special architectural or historic interest.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> The principle of the development at this location Impact on the curtilage of a listed building <p>The proposed development is sympathetic to the essential characteristic, scale, height, massing and alignment of nearby listed building/s by way of its scale, form, materials and detailing.</p> <p>Historic Environment Division were consulted in relation to the proposal and are content. The advertised in the local press and no representations have been received.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the variation of condition should be approved.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.</p> | |

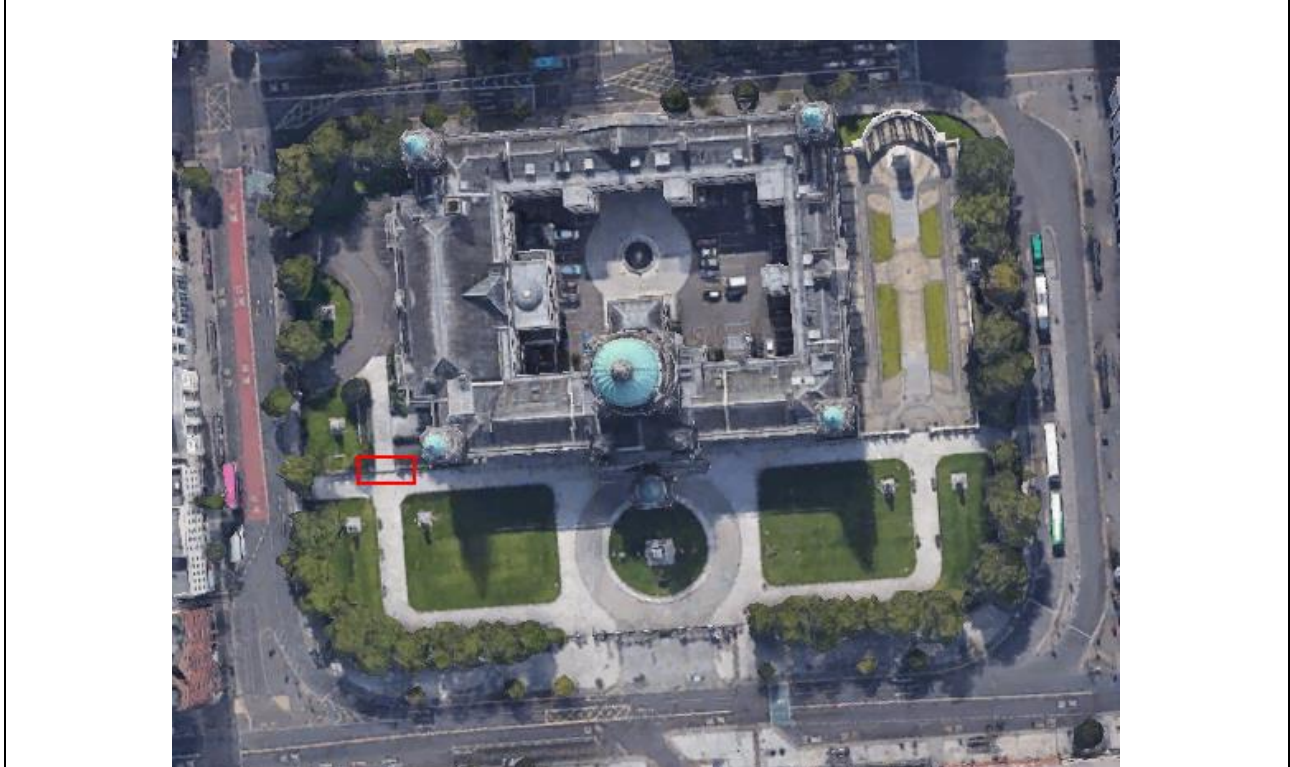
Case Officer Report

Site Location Plan and Site Layout

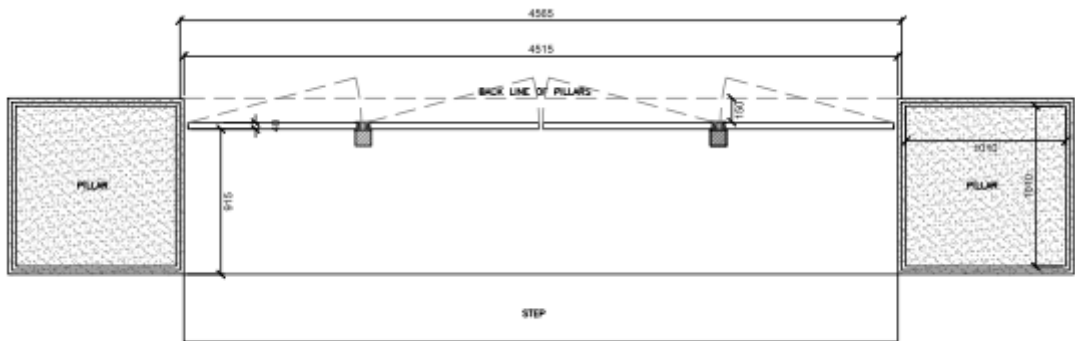
Site Location Map



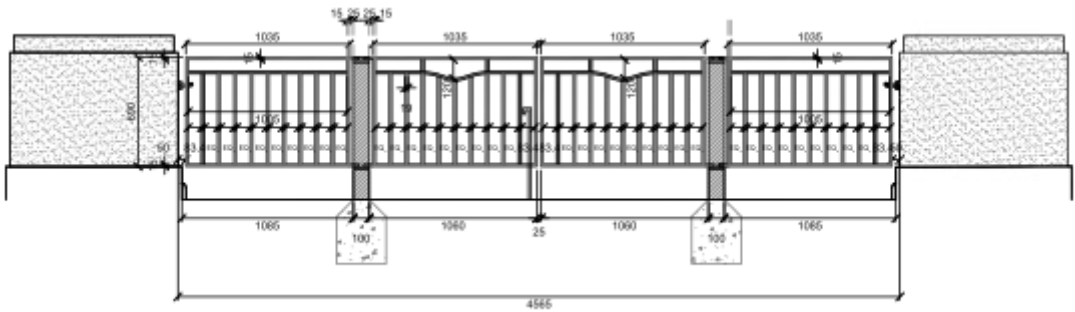
Aerial View



Existing Entrance



Proposed gates



Gates in situ at Remembrance Garden



| Characteristics of the Site and Area | |
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| 1.0 | Description of Proposed Development |
| 1.1 | The application seeks Listed Building Consent to install metal gates at the Titanic Memorial Garden within the grounds of City Hall (Grade A listed). |
| 2.0 | Description of Site |
| | <p>The site is located within the grounds of City Hall, a Grade A listed building which is of special architectural or historic interest located in Donegall Square. The lawns surrounding City Hall host a number of memorials to the history, people and events associated with the city.</p> <p>The surrounding area is predominantly commercial to the north of the site and business use to the south of City Hall.</p> <p>The site is located within the City Centre in BUAP and within the City Centre Conservation Area in both versions of dBMAP.</p> |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | Site History |
| 3.1 | None relevant to proposal |
| 4.0 | Policy Framework |
| 4.1 | Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035. Policies BH1 and BH2 |
| 4.2 | Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Belfast Local Development Plan, Plan Strategy 2035 |
| 4.3 | Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS). |
| 4.4 | Other Relevant Policies Belfast Agenda |
| 5.0 | Statutory Consultees Responses |
| | DfC HED were consulted and had no objection. |
| 7.0 | Publicity and Representations |
| 7.1 | The application was advertised on the 11 th of October 2024. No representations have been received in relation to this proposal. |
| 8.0 | Development Plan Context |
| 8.1 | Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the |

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| 8.2 | <p>determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> |
| | <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> |
| 8.3 | <p>The local development plan is now the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP comprises two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast, is not yet published. Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> |
| 8.4 | <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p> |
| 8.5 | <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> |
| | <p>Relevant Planning Policies</p> |
| | <p>Policies in the Plan Strategy relevant to the application include the following:</p> |
| 8.6 | <p>Policy BH1 – Listed Buildings</p> |
| | <p>Key Issues</p> |
| | <p>The key issues are:</p> |
| 8.7 | <ul style="list-style-type: none"> • The principle of the development at this location • Visual Impact on the Setting of a Listed Building <p>The Principle of the Development at this Location</p> <p>The grounds of City Hall currently have a similar gate in situ at the entrance of the Remembrance Garden, therefore setting a precedent for similar.</p> <p>The proposed works will preserve and complement the Listed Building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired. The design respects the essential character of the Listed Building and its setting.</p> |

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| | <p>The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building.</p> <p>In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council has had special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.</p> <p>The proposal is acceptable having regard to Policies BH1 (Listed Buildings) and BH4 of the Belfast Local Development Plan: Plan Strategy 2035; paragraph 6.12 and 6.13 of the Strategic Planning Policy Statement for Northern Ireland 2015; and taking account of all relevant material considerations.</p> <p>Impact on the architectural and historic qualities of the Listed Building Section 91 (2) of the Planning Act (Northern Ireland) 2011 applies which states 'the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'</p> <p>Policy BH1 of the Plan Strategy provides policy for the extension or alteration of a listed building and four criteria are to be met which are:</p> <p>f. The works preserve, restore and complement the building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired;</p> <p>g. The design respects the essential character of the existing building and/or setting; h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting; and</p> <p>i. In the case of extensions, they shall be subservient to the existing building with regard to height, scale, massing, form and alignment.</p> <p>Policy BH1 goes on to state that there will be a presumption in favour of retaining listed buildings. Partial demolition of parts of listed buildings will be wholly exceptional and only acceptable where an alteration or extension proposal has been agreed and that demolition is required to facilitate it. The Strategic Planning Policy Statement essentially repeats this policy approach.</p> <p>The proposal is deemed to comply with the SPPS and Policy BH1 of the Plan Strategy. The proposed is metal workshop fabricated gates coated, black in colour, matching the design of the Remembrance Garden Gates to the East of City Hall. There will be minimal impact on the existing listed building and the grounds of City Hall. The essential character of the building will be retained. DfC HED were consulted and were content with the proposal.</p> |
| 9.14 | Having regard for the policy context and the considerations above, the proposal is deemed acceptable. |
| 10.0 | Summary of Recommendation: |
| 10.1 | Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that Listed Building Consent is granted. |
| 10.2 | Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions. |
| 11.0 | DRAFT Conditions: |
| | <ol style="list-style-type: none"> 1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted. |

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| | Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011. Informative 1. This Decision relates to the following approved drawing numbers: 01 and 03 |
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| ANNEX | |
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| Date Valid | 16/10/2024 |
| Date First Advertised | 1/11/2024 |
| Date Last Advertised | 15/11/2024 |
| Date of Last Neighbour Notification | N/A |
| Date of EIA Determination | N/A |
| ES Requested | N/A |
| Drawing Numbers and Title 01 – Site Location Plan 02 – Existing Gate 03 – Proposed Gate Plan | |

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| Addendum Report | |
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| Committee Date: 21 st January 2025 | |
| Application ID: LA04/2024/1623/F | |
| Proposal: Change of use from 4-bed dwelling (C1) to 5- bed House of Multiple Occupancy (Sui Generis) | Location: 49 Woodcot Avenue, Belfast, BT5 5JB |
| Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas). | |
| Recommendation: Refusal (Change of opinion) | |
| Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast | Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB |
| Date Valid: 26/09/2024 | |
| Target Date: 09/01/2025 | |
| Contact Officer: Lisa Walshe, Principal Planning Officer | |
| <p>Background:</p> <p>This application was due to be considered at the 12th November Planning Committee but was deferred for a site visit. Following the site visit which took place on 4th December 2024, amended drawings were received.</p> <p>The original drawings accompanying the application indicated that the rear amenity space of the property measured 12.9sqm. Following the site visit the applicant was requested to confirm the size of the rear amenity space and an amended plan (see amended Proposed Floorplans below) was submitted indicating the rear amenity area as 9.4sqm. Clarification was also requested regarding the dimensions of the property. The agent has stated that the neighbouring extension and boundary wall appear to have been partially built on the applicant's property. The original drawings submitted were based on Ordnance Survey Map boundaries however after a more accurate survey of the rear yard (following the site visit) the drawings were updated to represent the actual size of the yard. The revised drawings indicate a reduction in the rear amenity space from 12.9sqm to 9.4sqm, a difference of 3.5sqm.</p> <p>This application seeks full permission for a change of use from a 4-bed dwelling to a 5-bed HMO. The Bin storage requirements for a 5 bed HMO include 3 set of bins (one set = one black bin, one recycling pack (3x 55l boxes) and one food caddy) as determined by the Waste Infrastructure SPG. The SPG also sets out the minimum storage area dimensions for waste. In this case for each set of 3 bins in an enclosed yard 2.0 x 1.8m is required in a single row layout requiring a total area of 10.8sqm (2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm). The revised plan demonstrates that there is insufficient space to adequately accommodate the bins required. In addition, no space would be available for amenity provision for use by prospective occupants.</p> | |

The initial report (appended), recommended that the application be approved on the basis that the proposal satisfied the requirements of the Waste Infrastructure SPG and provided amenity space for prospective occupants. However, the reduction in the amount of rear amenity space available to serve the development has resulted in a change of opinion to refuse. A draft reason for refusal is set out below.

A Parking Survey was submitted demonstrating available parking within a 150m radius of the site. DfI Roads was consulted on the application and considered the Parking Survey. DfI Roads consider the proposal acceptable and have no objections to the proposed development.

Draft Reason for Refusal:-

1. The proposed development is unacceptable as there is insufficient space within the site for accommodating the increased waste storage requirements for a 5-bedroom HMO whilst maintaining sufficient amenity space for occupants of the development. This would increase the likelihood of bins being stored in the rear alleyway (or elsewhere) to the detriment of the amenity of neighbouring residents and the wider area. The proposal fails to accord with Policies DES1, RD1 and ENV1 of the Belfast Local Development Plan: Plan Strategy 2035, the Residential Design and Waste Infrastructure Supplementary Planning Guidance, and paragraphs 3.3, 4.2, 4.4, 4.11, 4.12, 4.23, 4.24 and 4.26 of the Strategic Planning Policy Statement for Northern Ireland (2015).

Recommendation

Having regard to the development plan the Plan Strategy 2035 and other material considerations, the proposal is unacceptable. It is recommended that planning permission is refused.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reason(s).

Amended Proposed Floor Plans (Drawing No. 01A)



PROPOSED GROUND FLOOR
1:100



PROPOSED FIRST FLOOR
1:100



PROPOSED SECOND FLOOR
1:100

Development Management Report

| Summary | |
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| Committee Date: 12 th November 2024 | |
| Application ID: LA04/2024/1623/F | |
| Proposal: Change of use from 4-bed dwelling (C1) to 5-bed House of Multiple Occupancy (Sui Generis) | Location: 49 Woodcot Avenue, Belfast, BT5 5JB |
| Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas). | |
| Recommendation: Approval subject to conditions | |
| Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast | Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB |
| Date Valid: 26/09/2024 | |
| Target Date: 09/01/2025 | |
| Contact Officer: Lisa Walshe, Principal Planning Officer | |
| Executive Summary: This application seeks full planning permission for Change of use from a 4-bed dwelling (use class C1) to a 5-bedr House of Multiple Occupancy (Sui Generis use class). The site is located at 49 Woodcot Avenue. The key issues are: <ul style="list-style-type: none"> The principle of an HMO at this location Impact on the character Impact on residential amenity Traffic, parking and access Waste and refuse collection 9 objections have been received with the issues raised addressed within the main report. The application has been called in for the following reasons: <ol style="list-style-type: none"> Significant public interest. Concerns relating to amenity, parking and precedent for other HMOs in the area. The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Woodcot Avenue has not yet been reached. The applicant has demonstrated that there is | |

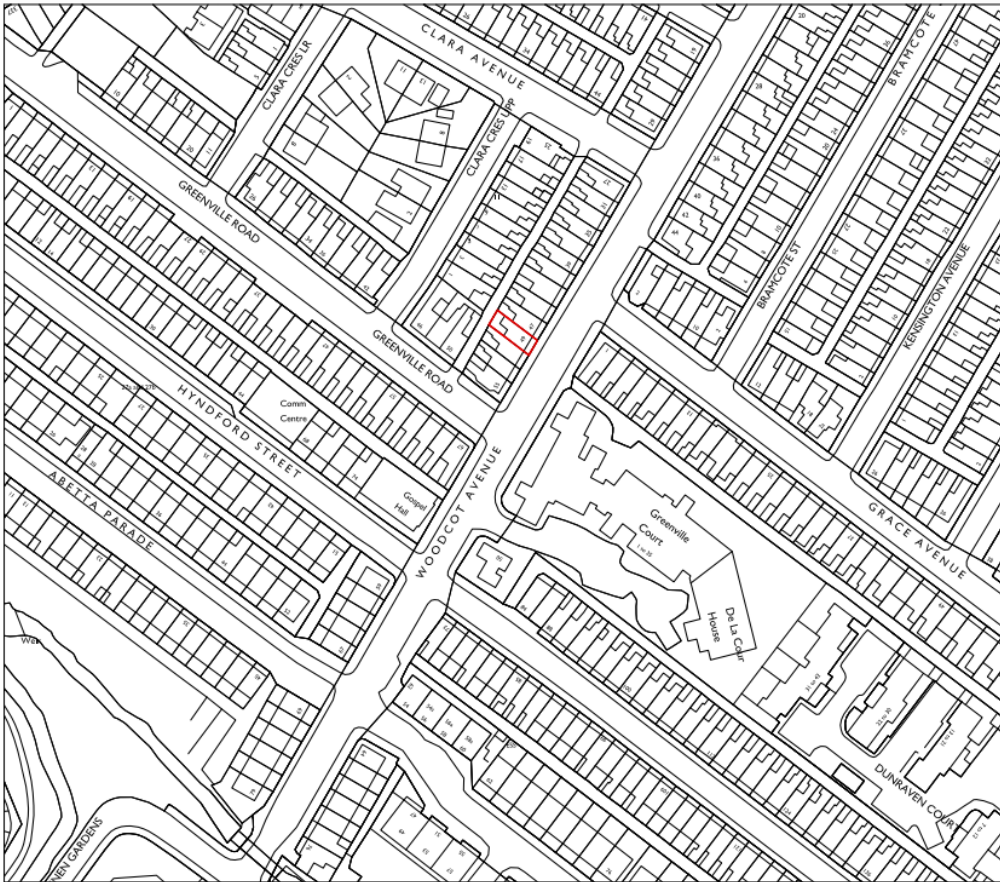
sufficient provision for bin storage whilst retaining adequate amenity space. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Existing and Proposed Site Plan:



Proposed Floor Plans:



Proposed Elevations:



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| 1.0 | Characteristics of the Site and Area |
| 1.1 | The application site is located at 49 Woodcot Avenue. The property is a 3-storey residential terraced property with a two-storey rear return. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential. |
| 1.2 | The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015. |
| | Description of Proposed Development |
| 1.3 | The application is seeking full planning permission to change the of use from a dwelling (class C1) to a 6-bed HMO (suis generis). |
| 2.0 | PLANNING HISTORY |
| 2.1 | There is no relevant planning history pertaining to the site. |
| 3.0 | PLANNING POLICY |
| 3.1 | <p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies</i></p> <ul style="list-style-type: none"> • Policy SP1A – managing growth and supporting infrastructure delivery • Policy SP2 – sustainable development • Policy SP3 – improving health and wellbeing • Policy SP5 – positive placemaking • Policy SP6 – environmental resilience • Policy SP7 – connectivity <p><i>Operational Policies</i></p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> • Residential Design • Placemaking and Urban Design • Transportation <p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> |

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| | <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations</p> <p>Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p> |
| 4.0 | CONSULTATIONS AND REPRESENTATIONS |
| 4.1 | <p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections</p> |
| 4.2 | <p><u>Non-Statutory Consultees</u></p> <p>No non-statutory consultations required.</p> |
| 4.3 | <p><u>Representations</u></p> <p>The application has been advertised and neighbours notified. The Council has received 9 letters of objection. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Waste management 2. Parking and traffic 3. Impact on the character of the area 4. Inadequate living space 5. Safety and security issues 6. Effect on property value 7. Precedent for other HMOs 8. Noise and Anti-social behaviour <p>Issues 1-4 are addressed in the main body of the report.</p> <p>The additional points are considered as follows:</p> <ol style="list-style-type: none"> 5. Safety and security issues <p>This is not a material consideration. Any issues regarding safety and security issues and is outside the remit of planning and relevant bodies such as the PSNI should be contacted if these issues escalate.</p> <ol style="list-style-type: none"> 6. Effect on property value <p>This is not a material consideration and is outside the remit of planning.</p> <ol style="list-style-type: none"> 7. Precedent for other HMOs <p>Each application is considered on its own merits. Officers consider that this scheme is compliant with relevant policy for the reasons stated in the report and any further applications for HMOs will be assessed in accordance with the relevant planning policy.</p> |

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| | <p>8. Noise and Anti-social behaviour</p> <p>The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties. The Northern Ireland House of Multiple Occupancy Unit (NIHMO) within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p> <p>Environmental Health and the PSNI are the appropriate bodies to deal with noise issues and antisocial behaviour.</p> |
| 5.0 | PLANNING ASSESSMENT |
| 5.1 | <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection. |
| 5.2 | <p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> |
| 5.3 | <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> |
| 5.4 | <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> |
| 5.5 | <p><u>Operational Policies</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan</p> |

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| | <p>Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p> |
| 5.6 | <p><u>Proposals Maps</u></p> <p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> |
| 5.7 | <p>Belfast Urban Area Plan 2001 – The site is located within the settlement development limit and is not zoned for any use.</p> |
| 5.8 | <p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the settlement development limits of Belfast.</p> |
| 5.9 | <p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is also located within the settlement development limits of Belfast. The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.</p> |
| 5.10 | <p><u>The principle of an HMO at this location</u></p> <p>The site is outside both Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p> |
| 5.11 | <p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street. |
| 5.12 | <p>According to the LPS Pointer Address database, there are 111 domestic properties on Woodcot Avenue. This would allow for 11 HMO properties on Woodcot Avenue before the 10% threshold would be exceeded. According to our records there is two existing HMOs on Woodcot Avenue and one application currently being processed. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.</p> |

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| 5.13 | Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy. |
| 5.14 | Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below. |
| 5.15 | <p><u>Impact on residential amenity</u></p> <p>The property is a 3-storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.</p> |
| 5.16 | <p>Policy RD1 applies as set out above and states that <i>'planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</i></p> <p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas -</i></p> <p>Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p> |
| 5.17 | <p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance -</i></p> <p>Officers consider that the scheme will not give rise to any of the issues listed in criterion b. The rear elevation has a velux window which is increasing in size but overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p> |
| 5.18 | <p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure -</i> There is sufficient space for cycle parking. Metro services are available along the Beersbridge Road, a 3-minute walk from the property.</p> |
| 5.19 | <p><i>d) Provides appropriate open space -</i> The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p> |
| 5.20 | <p><i>e) Keeps hard surfacing to a minimum -</i> No hard standing is proposed as part of this application.</p> |
| 5.21 | <p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C -</i> The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 5 bedrooms. The proposal therefore complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035.</p> |
| 5.22 | <p><i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street -</i> All units have safe and secure access from the front door of the dwelling.</p> |

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| 5.23 | h) <i>Ensures that living rooms, kitchens and bedrooms have access to natural light</i> – All habitable rooms in the dwelling have access to natural light. |
| 5.24 | The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 5 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area. |
| 5.25 | As indicated above, the HMO will further require to be licensed with Belfast City Council which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively. |
| 5.26 | The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1. |
| 5.27 | Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met: |
| 5.28 | <p>a) <i>Any units are self-contained</i> - This criterion is not applicable.</p> <p>b) <i>Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm</i> - Officers consider that this criterion is met (refer to sections 5.34-5.39 below)</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p> |
| 5.29 | Taking account of the criteria set out above the proposal is considered to comply with Policy RD3. |
| 5.30 | <p><u>Traffic, Parking and Access</u></p> <p>Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.</p> |
| 5.31 | Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. |

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| 5.32 | The site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area. |
| 5.33 | DfI Roads were consulted and have no objection to the proposal. In other applications, officers have requested a parking survey where there are objections on the grounds of parking. The agent for this application submitted a parking survey under application LA04/2023/4521/F for 4 Woodcot Avenue in February 2024. This demonstrated sufficient parking capacity on the same street. |
| 5.34 | <u>Waste and Refuse Collection</u> Objectors have alluded to previous issues with waste management on Woodcot Avenue and the alleyway behind. |
| 5.35 | Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. |
| 5.36 | The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI sets out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 560L of waste per week. The total waste production is broken down into the following types of waste: 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3 collected weekly). |
| 5.37 | The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI. 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly |
| 5.38 | Officers consider that this policy is complied with. The disposal of waste is the responsibility of tenants and the landlord. |
| 5.39 | The rear amenity space of the property is 12.9 sqm. For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. The provision of 3 sets of bins would leave approximately 2.1sqm for amenity provision. The premises will therefore be served by the correct amount for a 5-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that " <i>during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland</i> ". A condition is recommended to ensure bin storage is provided within the curtilage of the property. |

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| 5.40 | <p><u>Impact on the sewage network</u></p> <p>There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.</p> |
| 6.0 | <p>Recommendation</p> |
| 6.1 | <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> |
| 6.2 | <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p> |
| 7.0 | <p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the dwelling has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.</p> <p>Reason: To ensure adequate management of waste and in the interests of the amenities of the area.</p> <p>DRAFT INFORMATIVES:</p> <p>1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.</p> |

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Committee Application

| Development Management Officer Report | |
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| Committee Meeting Date: 21st January 2025 | |
| Application ID: LA04/2024/0714/F | |
| Proposal: Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. | Location: Units 2A and 2B at 38 Boucher Road, Belfast, BT12 6HR. |
| Referral Route: Major Application | |
| Recommendation: Approval subject to conditions | |
| Applicant Name and Address: Norlin EV Limited C/O Norlin Ventures Limited Innovation Centre Queens Road Belfast BT3 9DT | Agent Name and Address: Pragma Planning and Development Consultants Ltd Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH |
| Date Valid: 14 th June 2025 | |
| Target Date: 10 th January 2025 | |
| Contact Officer: Ciara Reville, Principal Planning Officer, (Development Management) | |
| Executive Summary: This application proposes a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. The key issues are: <ul style="list-style-type: none"> • Principle of development • Visual impact of the proposed redevelopment • Impact on character of the area • Impact on transport infrastructure and road safety • Flood risk / Drainage • Health Impacts • Environmental Impact • Climate Change • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation The site is partially located within whiteland and an area zoned for industry and commerce within the Belfast Urban Area Plan (BUAP) and whiteland in the Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014). N.I Water are the only consultee to object to the proposal. | |

The application has been advertised and neighbour notified and no objections have been received.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any other matters that may arise from outstanding consultees, provided that they are not substantive, and the Section 76 Planning Agreement.

Officer Report

1.0

Drawings

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Fig 1.Site Location Plan

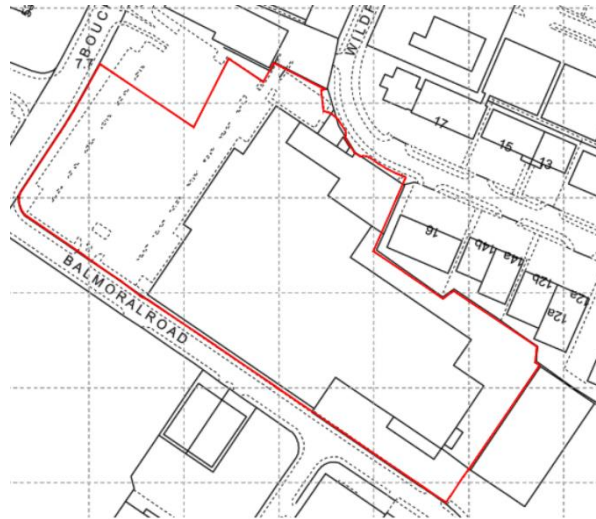
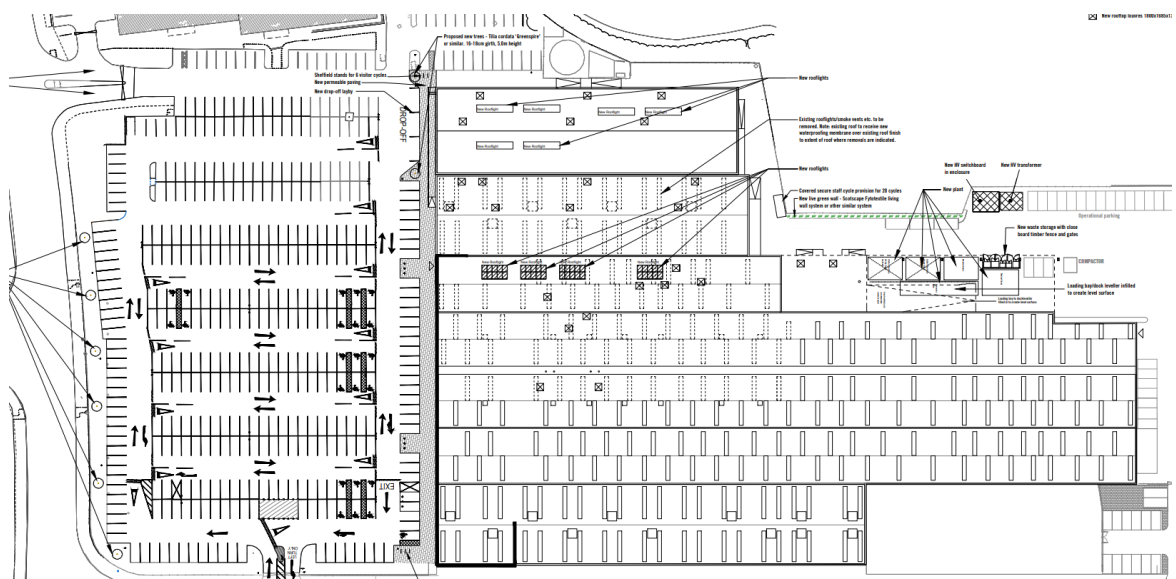


Fig 2. Proposed site Layout

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| 2.0 | Characteristics of the Site and Area |
| 2.1 | The building is comprised of the former B&Q retail warehouse on Boucher Road, who operated from the building from 1999 until they terminated their lease in 2016. The building is located on Boucher Road, an area of mixed but mainly retail dominated uses of both comparison and convenience goods. The occupier of the remainder of the building is The Range. |
| 2.2 | On the northern boundary of the land on which the building is located are a pair of retail warehouses, to the north of the site is a block of retail warehouses, on the opposite side of Boucher Road are more retail warehouses. To the south of the Building are a mix of uses including vehicle storage, leisure uses, self-storage and a brewery. |
| 3.0 | Description of Proposal |
| 3.1 | Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. |
| 4.0 | Planning Policy and Other Material Considerations |
| 4.1 | <p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p>Policy DES1 – Principles of urban design Policy CI1 - Community Infrastructure Policy TRAN1 – Active Travel Policy TRAN2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 - Flood Risk Policy ENV5 – Sustainable Drainage Policy HC1 – Promoting Healthy Communities</p> |
| 4.2 | <p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> |
| 4.3 | <p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> |
| 4.4 | <p>Other Material Considerations</p> <p>Developer Contribution Framework (BCC) Belfast Agenda (Community Plan) Creating Places (DfI)</p> |
| 4.5 | <p>Relevant Planning History</p> <ul style="list-style-type: none"> - LA04/2018/1727/F - Demolition of entrance and exit canopies and replacement of facades on the western elevation (fronting Boucher Road) and part of the southern elevation (side of building onto Balmoral Road). Permission granted. |

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| | - LA04/2020/1727/F - Variations to Condition 2 (materials) of Approval LA04/2018/1727/F to allow for elevation changes – Permission granted. |
| 5.0 | Consultations and Representations |
| 5.1 | Statutory Consultations DfI Roads – Content subject to conditions DfI Rivers – No objection NIEA – No objection with regards to ground contamination and no objection with regards to waste water discharge subject to NIW being content. NI Water – Refusal SES – Outstanding |
| 5.2 | Non-Statutory Consultations BCC Environmental Health – Outstanding on remediation strategy only. |
| 5.3 | Representations The application has been advertised and neighbours notified. There have been no representations or objections received to date. |
| 6.0 | PLANNING ASSESSMENT |
| 6.1 | Key Issues The key issues relevant to consideration of this application are: <ul style="list-style-type: none"> • Principle of development • Visual impact of the proposed redevelopment • Impact on surrounding uses • Impact on character of the area • Impact on transport infrastructure and road safety • Flood risk / Drainage • Environmental Impact • Climate Change |
| 6.2 | Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. |
| 6.3 | Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations. |
| 6.4 | The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy (PS), which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 ('Department Development Plan') remain part of the statutory local development plan until the Local Policies Plan is adopted. |
| 6.5 | Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at para 6.1. |

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| 6.6 | Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. |
| 6.7 | Belfast Urban Area Plan (BUAP) - The site is located within 'Lands reserved for Landscape, Amenity or Recreation Use'. |
| 6.8 | Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014) – The site is located within undesignated whiteland. |
| 6.9 | <u>Principle of development</u> Within both the draft and the adopted version of the Belfast Metropolitan Area Plan the entirety of the site was not zoned for any purpose, in these documents the whole site was whiteland; as such there is no policy specific to this site within the BMAP documents. The BMAP documents do not provide policy specific to this type of specialised Class C3. |
| 6.10 | The application site is not within any designated centre and is considered to be in an out of centre location. The proposed use class C3 would not trigger policies RET1 and RET2 as it is not considered as a community use (D1), therefore a sequential test or retail impact assessment is not required. |
| 6.11 | It is considered that the proposed change of use is acceptable and compatible with the surrounding uses. |
| 6.12 | <u>Community Infrastructure</u> There is a presumption in favour of providing community infrastructure, in accordance with policy CI1, which states that the council will seek to protect and provide development opportunities for community, health, leisure, nurseries and educational facilities based on local need in line with the projected population growth over the plan period. |
| 6.13 | The applicant has submitted a statement of need with the application which highlighted the level of existing waiting lists for medical services maintained by the Department of Health and the local Trusts, who the applicant has been in discussion with. In Northern Ireland generally, according to the NI Audit office, recent estimates indicate that one in four people are now on a HSC waiting list. |
| 6.14 | The scale and availability of facilities are a significantly element of these waiting times and the availability of facilities is as important as staff availability in reducing waiting times. The proposed operator undertakes significant work with the NHS in relation to its waiting lists and will address more complex elective cases at this facility particularly in relation to patients who are currently on multi-year waiting lists including orthopedics and endoscopy. |
| 6.15 | Policy CI1 further states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport, as confirmed in paras 6.17. CI1 is considered to be complied with. |
| 6.16 | <u>Design</u> The proposed extension of the building is of similar appearance to the proposed unit with no increase in height. Existing and proposed materials consist of brick walling, metal cladding panels and glazing, consistent with the surrounding retail/commercial units. The |

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| | <p>vast majority of the proposal is for the re-use of the existing unit which has previous approvals for elevational changes that were deemed acceptable. Therefore, the design of the extension and alterations to the existing unit is in keeping with surrounding character of the area. The proposal complies with DES 1.</p> |
| 6.17 | <p><u>The impact on the amenity of adjacent land users</u></p> <p>The majority of the proposed is for the change of use to an existing commercial unit. However, there is an extension proposed to the north east elevation. The extension extends from the front of the existing building and partially along the existing side elevation. The extension is 1 storey in height and sits below the highest point of the existing building with no height increase. It is considered that the proposed extension would not result in any harmful impacts on adjacent land users.</p> |
| 6.18 | <p><u>Access, movement, and parking</u></p> <p>The application site has good links to existing cycling and walking infrastructure. The site is also within walking distance to bus and rail stops. Cycle parking facilities are included within the proposed development. The proposal incorporates features which are designed to take account of the specific needs of people with disabilities and others whose mobility is impaired, including convenient movement along pathways, level access arrangements and provision of disabled parking. Access to the private hospital is achieved from both the Boucher and Blamoral Roads.</p> |
| 6.19 | <p>DFI Roads have been consulted and have provided no objection to the proposal subject to recommended conditions. A Travel Plan and Service Management Plan were provided to the satisfaction of DFI Roads and adherence to both documents will be conditioned.</p> <p>It is considered the proposal complies with Policies TRAN1 (Active Travel), TRAN2 (Creating an Accessible environment), TRAN6 (Access to public roads) and TRAN8 (Car parking and Servicing Arrangements).</p> |
| 6.20 | <p><u>Health impacts</u></p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p> |
| 6.21 | <p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of rail and bus halts. The proposal is considered to satisfy the requirements of Policy HC1.</p> |
| 6.22 | <p><u>Climate change</u></p> <p>The proposal is for the change of use of an existing commercial/retail unit with an extension. Minor demolition is required and the proposed use will re-use the existing building and its internal floorspace in compliance with ENV2.</p> |
| 6.23 | <p>With regard to policies ENV3 (Adapting to environmental change) and ENV5 (Sustainable drainage systems (SuDS)), the submitted plan strategy statement states 'that in respect to the potential for overheating and reliance on air conditioning we are advised that this building will be designed to meet the standards of the current Building Regulations.'</p> |
| 6.24 | <p>'One of the simplest ways to reduce the energy required to heat and power buildings</p> |

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| | is to improve the fabric standards and increase on-site renewable generation which will provide a cost-effective route to meeting carbon reduction targets, in this regard a planning application will be submitted in due course for a solar pv array on the rooftop of the building.' |
| 6.25 | The specific nature of the proposal is the reuse of an existing building combined with a new building constructed on an area of hard surfaced space. The opportunity for significant additional tree planting is severely restricted by the confines of the inner urban location of the site and the nature. However new trees are proposed at the front of the building and where the site bounds the main Boucher Road. In addition to this a living wall is proposed to replace fencing to the rear of the site. Permeable paving is also proposed across the front of the building and this is noted on the proposed site layout plan. Notwithstanding the details already provided a condition is proposed for the provision of further landscaping detail including the management of the green wall and its future retention and maintenance. |
| 6.26 | With regards to environmental policies, it is considered that the proposal is therefore compliant with policies ENV2, ENV3 and ENV5. |
| 6.27 | <u>Drainage</u> DFI Rivers are content with the submitted proposed drainage layout, however they still require an updated and appropriate consent to discharge correspondence from NI Water. In the event of approval, a condition requesting submission of a final drainage assessment can be imposed. A 5 metre working strip has also been requested and an updated site plan received to address this. |
| 6.28 | <u>Sewage Infrastructure</u> NI Water (NIW) were consulted and have recommended refusal of the proposal due to insufficient capacity at Belfast WWTW and associated sewer network. NIW have outlined that the applicant will need to submit an application to NIW for a Wastewater Impact Assessment (WWIA). NIW will assess the proposal to see if an alternative drainage or treatment solution can be agreed. |
| 6.29 | However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy. |
| 6.30 | Accordingly, it has been necessary to consult SES and DAERA. SES are still outstanding. Should SES's response be that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects, mitigation in the form of a planning condition can be added to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. Delegated authority is requested to deal with any issues arising from the SES response when received, and the additional of any necessary conditions. |
| 6.31 | <u>Noise, air quality and other environmental impacts including contamination</u> The application has been assessed by BCC Environmental Health. Environmental Health have assessed the submitted GQRA and requested the applicant submits a site and development specific Remediation Strategy to support this application. Environmental Health are still outstanding on this matter. Delegated authority is requested to deal with any issues arising from the Environmental Health response when received, and the additional of any necessary conditions. |

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| 6.32 | With regards to air quality and noise, Environmental Health have recommended a condition that in the event that any centralised combustion sources (boilers, CHP or biomass) are proposed further details are to be submitted for review and approval. There were no concerns raised relating to general. |
| 6.33 | <p><u>Employability & skills</u></p> <p>The Developer Contribution Framework requires proposals to make a contribution towards Employability and Skills where necessary. The Economic Development Unit advises that given the scale of the construction employment required to implement the proposal, together with current skills shortages, employability and skills related Developer Contributions are required in relation to the construction phase. Officers advise that an Employability and Skills Plan is required to be submitted and implemented, and that this should be secured by way of a Section 76 planning agreement.</p> |
| 6.34 | <p>Typical interventions in the Employability and Skills Plan may include:</p> <ul style="list-style-type: none"> • <i>Creating access to employment opportunities</i> • <i>Delivering training to upskill people</i> • <i>Creation and delivery of apprenticeship opportunities</i> • <i>Ring-fencing opportunities for under-represented groups</i> • <i>Delivery of employability interventions</i> • <i>Addressing barriers to employment and skills development</i> • <i>Delivery of youth interventions</i> |
| 6.35 | <p><u>Section 76 Planning Agreement</u></p> <p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Employability and Skills – requirement for the submission and implementation of a Construction Employability and Skills Plan. <p>A legal instruction has been sent to legal services and a draft Section 76 planning agreement is currently being prepared to share with the applicant and will need to be finalised before planning permission is granted.</p> |
| 6.36 | <p><u>Pre-application Community Consultation</u></p> <p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant. The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Elected Representative & Community Group engagement: Notice was served to the local elected representatives and community groups on Friday 20th October 2023. • Advertising: An advert was placed with the Daily Mirror in the Public Information section on Monday 13th November 2023. In line with the marketing material the information included: <ul style="list-style-type: none"> • Details of the in-person consultation event and basic project information. |

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| | <ul style="list-style-type: none"> • Contact details for the Community Consultation Manager should any reader wish to see further information on the proposal. • Neighbour notification: During the week commencing 13th November 2023, c. 80 information leaflets containing comment cards were delivered to residents and businesses identified within a 200m radius of the centre of the proposed development site (Neighbour Notification). The leaflet contained information on the in-person Pre-Application Community Consultation (PACC) process, information on the proposals and details of the point of contact within the technical team to ask questions, or to provide feedback on the proposal. • Local Stakeholder Audit: In preparation of the roll out of the substantive elements of the community consultation the consultation team carried out a stakeholder audit of all the local businesses and organisations located within the immediate area of the site. This audit of local businesses and organisations meant we specifically pinpointed individuals that we could reach out to, make contact with and invite to participate in the community consultation. All businesses and organisations within the 200m radius of the centre of the proposed development site received a copy of the information pack as detailed above. • Press coverage: press statement issued detailing the proposal, covered by local newspapers • Community Exhibition event: An in-person Pre-Application Community Consultation Event (Appendix 5) was held in the Doyen, 829 Lisburn Road, Belfast, BT9 7GY on Thursday 23rd November 2023 from 2:00pm – 6:00pm. This event attracted 6 visitors who came to view the plans and discuss with the design team who was present. The attendees included Paula Bradshaw MLA and Cllr Micky Murray. The design team present at the in-person consultation event was made up of: <ul style="list-style-type: none"> • Planning Consultant • Communications Consultant |
| 7.0 | Recommendation |
| 7.1 | Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. |
| 7.2 | Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any other matters that may arise from outstanding consultees, provided that they are not substantive and the Section 76 Planning Agreement. |
| DRAFT CONDITIONS: <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i> 2. The existing vehicular access arrangements at Boucher Road and Balmoral Road, as generally indicated on Drawing No.03C uploaded to the Planning Portal 7th January 2025, shall be retained, and shall be available for use during all hours of operation of the development. | |

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.12A uploaded to the Planning Portal 7th January 2025 to provide for parking, servicing and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development, and shall be available for use during all hours of operation of the development.

Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation within the site.

4. The development hereby permitted shall not become operational until cycle parking facilities, both sheltered and unsheltered, have been provided in accordance with Drawing No.12A uploaded to the Planning Portal 7th January 2025.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall operate in accordance with the Travel Plan Framework uploaded to the Planning Portal 21st June 2024.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

6. The development hereby permitted shall operate in accordance with the Service Management Plan uploaded to the Planning Portal 21st June 2024.

Reason: In the interests of road safety and the convenience of road users.

7. In the event that new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. In the event that piling is required, no piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: <https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2). The quality of surrounding soils and groundwater should then be verified and agreed with the Planning Authority. Should any additional contamination be identified during this process, conditions for new contamination and risks, as detailed, will apply.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. After completing any remediation works required and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of human health

12. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

13. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme (including the proposed living wall) has been submitted to and approved in writing by the Council. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development

unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage and mitigate against the impacts of climate change. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
 - 01 – Site location plan
 - 02a – Site Plan Existing
 - 03c – Site Plan Proposed
 - 07a – Proposed ground floor plan
 - 08a – Proposed first floor plan
 - 09a – Proposed Elevations
 - 11a – Roof plan proposed
 - 12a – Proposed parking plan
 - 13 – Proposed tenant first floor plan
 - 14 – Proposed tenant ground floor plan
 - 15a – Proposed operational development plan
2. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:
 - a. **Employability and Skills** – requirement for the submission and implementation of a Construction Employability and Skills Plan.
3. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
4. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
5. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

| ANNEX | |
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| Date Valid | 14/06/2024 |
| Date First Advertised | 28/06/2024 |
| Date Last Advertised | 28/06/2024 |
| EIA Required | Yes |
| ES Received | No Not required |

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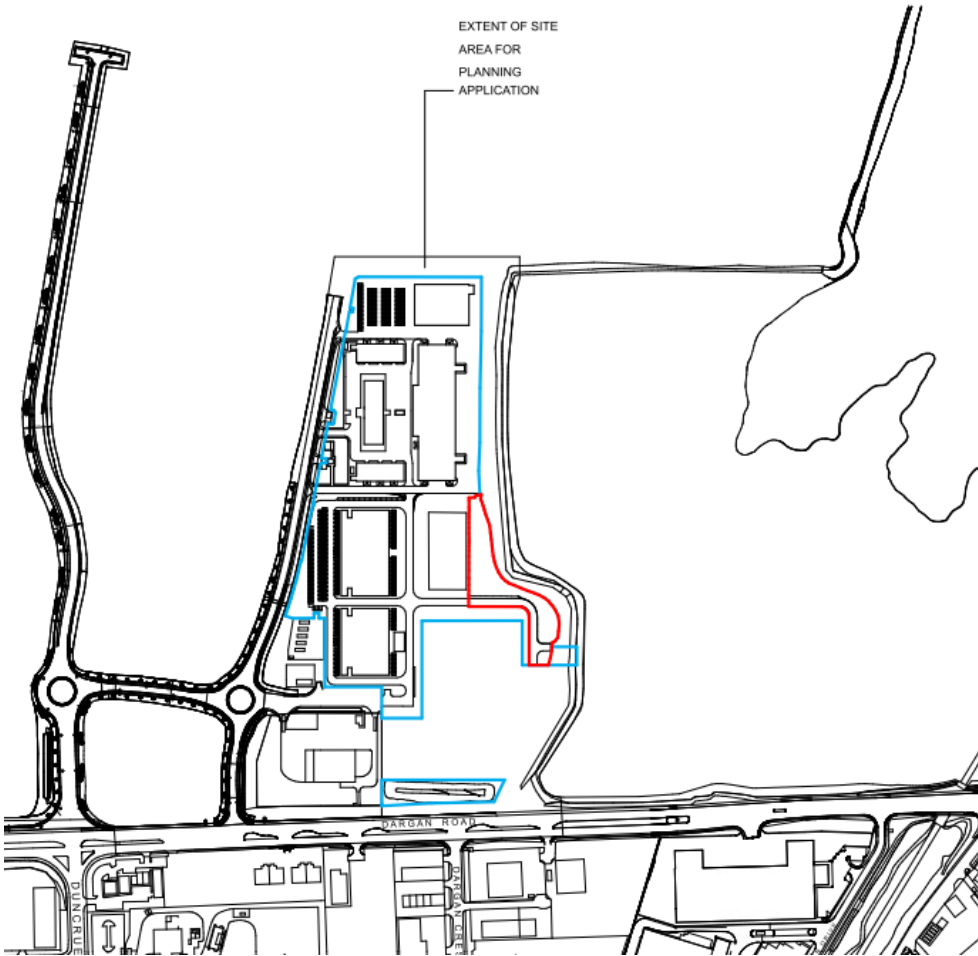
Development Management Officer Report Committee Application

| Summary | |
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| Committee Meeting Date: 21 st January 2024 | |
| Application Ref: LA04/2024/0754/F | |
| Proposal: Retrospective application for the construction of a landscaped earth mound. Proposed new fencing and the reconfiguration of internal access arrangements and car parking associated with film studios granted under planning permission ref: LA04/2020/0474/F (as amended under LA04/2021/1358/F). | Location: Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known as North Foreshore/Giants Park), Belfast. |
| Referral Route: Paragraph 3.8.5 (d) of the Scheme of Delegation – Council owned land | |
| Recommendation: Approval subject to condition | |
| Applicant Name and Address: Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL | Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE |
| Date Valid: 26/04/2024 | |
| Target Date: 09/08/2024 | |
| Contact Officer: Lisa Walshe, Principal Planner | |
| Executive Summary: This application seeks retrospective planning permission for the construction of a landscaped earth mound, new fencing, and the reconfiguration of internal access arrangements and car parking in relation to planning permission LA04/2020/0474/F (as amended by LA04/2021/1358/F). The application site is part of Film Studios complex within the wider North Foreshore Giant's Park. The key issues for consideration of the application are set out below: <ul style="list-style-type: none"> • Waste Disposal • Traffic, Parking and Access • Environmental Quality • Ecology <p>The mound is a result of the level of surplus spoil identified on site which is greater than initially anticipated. The size of the bund has been dictated by the need to store this soil, in an appropriate way on site and enable it to be integrated as a landscaped feature of the development, adjacent to other areas of landscaping approved in the planning permission. It is considered to have little visual impact when considered within the context of the overall planning permission.</p> | |

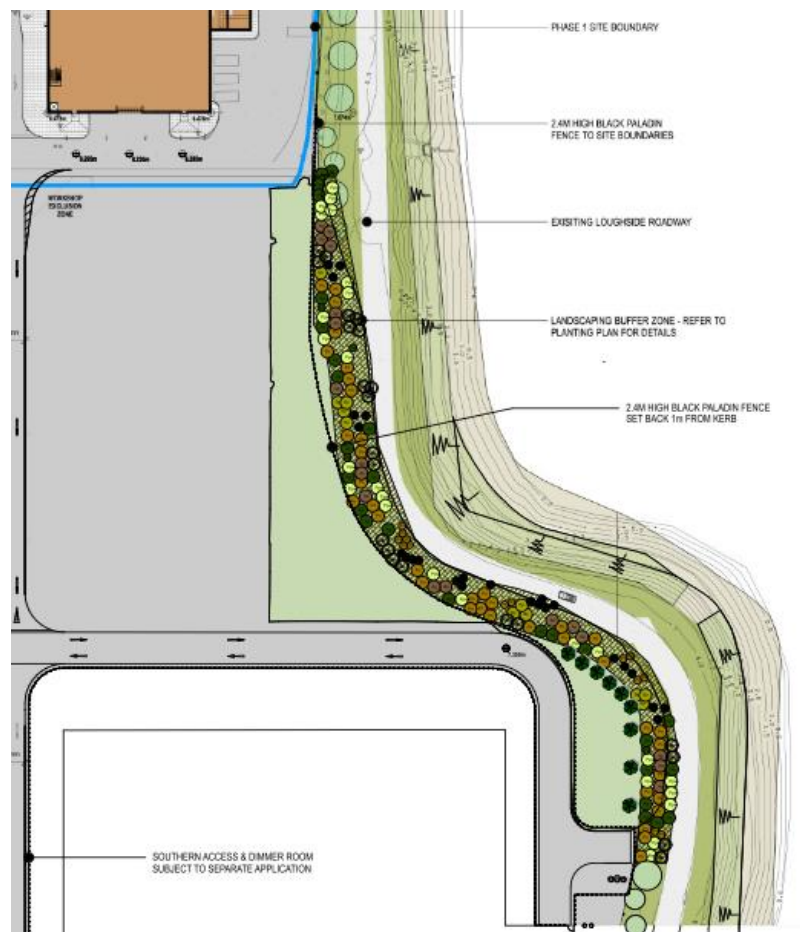
The application has been advertised and neighbours notified. No representations have been received. DFI Roads, NIEA, SES and Environmental Health have all been consulted and offer no objections.

Recommendation

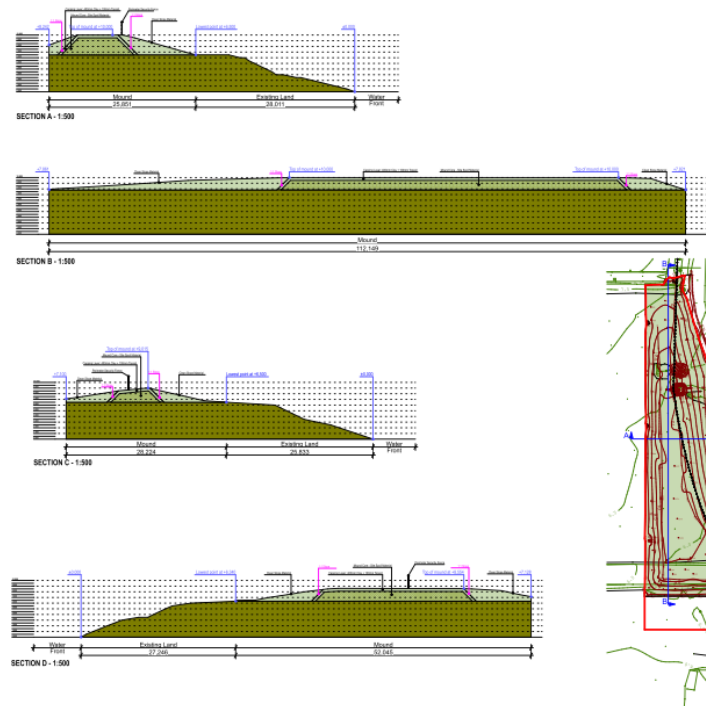
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

| Officer Report | |
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| 1.0 | Drawings |
| 1.1 | Site Location |
| |  <p>The drawing is a site location map. It shows a large, irregularly shaped plot of land. A blue line outlines the 'EXTENT OF SITE'. A red line outlines the 'AREA FOR PLANNING APPLICATION'. The site is situated next to a road labeled 'MARGAN ROAD'. To the left of the road, there is a road labeled 'DUNGRUE'. To the right of the road, there is a road labeled 'BEN-A-VENET'. The site contains several buildings and a large open area. A legend in the top right corner identifies the blue line as 'EXTENT OF SITE' and the red line as 'AREA FOR PLANNING APPLICATION'.</p> |

Site Layout



Sections



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| 2.0 | Characteristics of the Site and Area |
| 2.1 | The site is part of the wider North Foreshore Giant's Park. The wider site has been landscaped in the interim years with land directly south of the application site developed for a Belfast City Council Waste Electrical and Electronic Equipment (WEEE) transfer station and a (landfill) gas powered electricity generating turbine complex. |
| 2.2 | Access to the site is via the existing internal road infrastructure off Dargan Road which has been upgraded with a signalised junction. |
| 2.3 | The application site is on low-lying ground and is located immediately adjacent to Belfast Lough. The area to the north of the site is described as the northern zone of the North Foreshore land and is the area of most recent cessation of landfill operations. This area of land slopes upwards to the north. The area to the south and east of the site consists of industrial and commercial buildings that contrast to the dominant residential use west of the M2 / Shore Road. There is an established woodland strip along the western North Foreshore boundaries which provides a landscape buffer and protection from the Motorway. |
| 2.4 | The mound which this application relates to is located in the eastern portion of the Film Studios site, immediately southeast of the existing film studios, north of Dargan Road (within wider Belfast City Council lands known as North Foreshore/Giants Park), Belfast. |
| 3.0 | Description of Proposal |
| 3.1 | The application is seeking retrospective permission for the construction of a landscaped earth mound, new fencing, and the reconfiguration of internal access arrangements and car parking associated with film studios |
| 4.0 | Planning Policy and Other Material Considerations |
| 4.1 | Development Plan – Plan Strategy Belfast Local Development Plan, Plan Strategy 2035 |
| 4.2 | <i>Strategic Policies:</i> Policy SP2 – Sustainable development |
| 4.3 | <i>Operational Policies:</i> Policy ENV1 – Environmental quality Policy TRAN8 – Car parking and servicing arrangements Policy DES 1 – Principles of Urban Design Policy W3 – Waste Disposal Policy NH1 – Protection of Natural Heritage Resources |
| 4.4 | Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) |
| 4.5 | Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) |

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| 4.6 | <p>Relevant Planning History</p> <p>LA04/2020/0474/F Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works. Address: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). Decision: Permission Granted Decision Date: 19.08.2020</p> <p>LA04/2021/1358/F Proposal: Section 54 application seeking amendments to condition Nos 2 (access), 7, 13, 20 (CEMP), 9, 10, 15, 16, 19 (ground conditions), 12 (noise/vibration), 17 (piling risk), 21 (drainage), 27 (landscaping) to enable a phased approach to the construction of the permitted film studios complex approved under planning permission LA04/2020/0474/F. Address: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). Decision: Permission Granted Decision Date: 06.09.2021</p> <p>LA04/2024/0755/F Proposal: Retrospective application for extension to film studio for switch room/dimmer array building with associated external plant deck, installation of a new sliding access gate and reconfiguration of internal access arrangements on site. Decision: Permission Granted Decision Date: 05.12.2024</p> |
| 5.0 | Consultations and Representations |
| 5.1 | <p>Statutory Consultations DfI Roads - No objections Shared Environmental Services – No Objections</p> |
| 5.2 | NIEA – No objections |
| 5.3 | <p>Non-Statutory Consultations BCC Environmental Health – No Objections</p> |
| 5.3.1 | <p>Representations The application has been advertised and neighbours notified. No representations have been received.</p> |
| 6.0 | PLANNING ASSESSMENT |
| 6.1 | Development Plan Context |
| 6.1.1 | Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. |

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| 6.1.2 | Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations. |
| 6.1.3 | The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted. |
| 6.1.4 | Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.). |
| 6.1.5 | Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. |
| 6.1.6 | Belfast Urban Area Plan 2001 - The site is located within the settlement development limit in the BUAP and is not zoned for any use. |
| 6.1.7 | Belfast Metropolitan Area Plan 2015 (2004 and 2014) - Within BHA 07 Employment and Industry North Foreshore and within an Area of Mineral Constraint. |
| 6.1.8 | <p>Key Issues</p> <p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • Waste Disposal • Traffic, Parking and Access • Ecology • Environmental Quality |
| 6.2 | Waste Disposal |
| 6.2.1 | Policy W3 – Waste Disposal states that planning permission will be granted for the development of landfill or land raising facilities for the disposal of waste where the need for the facility is established through the Waste Management Strategy (WMS) and the relevant Waste Management Plan (WMP), and all the criteria b)- e) of the policy are met. A Verification Report and Remediation Strategy has been submitted along with this application. Considering the nature of the proposal against the criteria of the policy, none of the criteria is directly applicable. However the policy states that waste disposals will be expected to include a statement identifying the waste implications of the development, measures taken to minimise and manage the waste generated and a critical analysis of the alternative methods of treatment for the particular waste material and its potential for recycling, composting or energy recovery. |

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| 6.2.2 | <p>The Verification Report states that during the course of the project, c.18,923m³ of materials were excavated. The report also demonstrates the project's compliance with the four factors (principles) of Definition of Waste: Code of Practice (DoWCoP) process in that:</p> <ul style="list-style-type: none"> • Factor 1; the aim of the Waste Framework Directive has not been undermined in that the re-use of the excavated materials has not created an unacceptable risk of pollution of the environment or harm to human health; • Factor 2; that the material re-used was suitable for the identified end-use without the need to treat that material before it was re-used; • Factor 3; that there was a certainty of use for the excavated materials in that there were predefined end-use classifications and predetermined on-site destinations for these materials; and that, • Factor 4; that the quantity of material re-used on-site was defined and was no more than that necessary to complete the development stipulated within the contracts. |
| 6.2.3 | <p>The Verification Report has demonstrated that the reuse of materials on site is not considered a waste activity and that relevant Northern Ireland waste legislation need not apply to 93% of the materials excavated during the course of this project. Environmental Health were consulted and have no objection.</p> |
| 6.3 | Traffic, Parking and Access |
| 6.3.1 | <p>Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. It goes on to state that the precise amount of car parking for development proposals will be determined according to the specific characteristics of the development, and its location, having regard to DfI's published standards.</p> |
| 6.3.2 | <p>The construction of the bund will result in a loss of 38No. car parking spaces, a loss which is not considered significant when considered against the overall provision of 648 No. spaces in the planning permission. DfI Road have been consulted on the application and offer no objection.</p> |
| 6.3.3 | <p>It is considered that an acceptable level of car parking is maintained and Policy TRAN 8 is met.</p> |
| 6.4 | Design |
| 6.4.1 | <p>The mound is located in the eastern portion of the film studios site, immediately southeast of the existing film studios, north of Dargan Road (within wider Belfast City Council lands known as North Foreshore/Giants Park), Belfast. The location of the mound is considered to be most appropriate to keep storm water runoff from carrying any contaminated material off site, or into the adjacent lough and for keeping the mound away from existing/proposed buildings.</p> |
| 6.4.2 | <p>The dimensions of the mound is a result of the level of surplus spoil identified on site which was greater than initially anticipated. The size of the bund has been dictated by the need to store this soil, in an appropriate way on site and enable it to be integrated as a landscaped feature of the development. The location of the mound is considered appropriate as it will be read alongside the wider landscaped edge of the development adjacent to Belfast Lough. Its integration with the Lough, and wider visual impacts, have been further assisted by a landscaping treatment which aligns with that approved for the wider development</p> |
| 6.4.3 | <p>It is considered to have little visual impact when considered within the context of the overall planning permission.</p> |

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| 6.5 | Ecology |
| 6.5.1 | Shared Environmental Services were consulted and concluded that 'No LSE is predicted due to the scale, nature and location of the proposed development including a land buffer (20m +) between the retrospective development and the marine environment. |
| 6.5.2 | Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 26/07/2024. This found that the project would not be likely to have a significant effect on any European site. |
| 6.5.3 | NIEA: NED were consulted and requested an ecological assessment. A technical statement was submitted which demonstrates that the status quo established under the parent application for this site remains unaffected. It states that the 'as-built' landscaped earth mound is compliant with the guidance outlined in Policy NH1 as it results in no new or additional ecological effects (adverse or otherwise) on designated sites, habitats, the water quality of Belfast Lough or the protected species that use it. And goes on to assert that the creation of the landscaped earth mound has had a neutral effect on biodiversity when viewed through the lens of the previous assessment. |
| 6.5.4 | NIEA NED have been consulted with this technical statement. Delegated authority is sought to resolve a final response from NED and deal with any issues arising provided they are not substantive. |
| 6.6 | Environmental Quality |
| 6.6.1 | Policy ENV 1 states that Planning Permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. A verification report and remedial strategy were submitted. Environmental Health and NIEA have been consulted on this information and offer no objections. |
| 7.0 | Recommendation |
| 7.1 | Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. |
| 7.2 | Delegated authority is sought for the Director of Planning and Building Control to finalise the response from NIEA: NED, finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive. |
| DRAFT CONDITIONS: | |
| <p>1. This planning permission has effect from the date which the development hereby approved was carried out.</p> <p>Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.</p> | |

2. The hard surfaced areas hereby permitted must be constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

Development Management Officer Report Committee Application

| Summary | |
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| Committee Meeting Date: 21 st January 2025 | |
| Application ID: LA04/2024/0966/F | |
| Proposal: Retrospective: Change of use from 3-bedroom residential dwelling (C1) to short-term let (Sui Generis). | Location: 28 Dunvegan Street, Belfast, BT6 8GE |
| Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks) | |
| Recommendation: Refusal. | |
| Applicant Name and Address: Love Rooms, 28 Dunvegan Street, Belfast, BT6 8GE | Agent Name and Address: Ally Olphert, Create Architecture, Blick Studios, 46 Hill Street, Belfast, BT1 2LB |
| Date Valid: 14.06.2024. | |
| Target Date: 27.09.2024 | |
| Contact Officer: Lisa Walshe, Principal Planner | |
| Executive Summary: <p>This application seeks to change the use of a 3-bedroom residential dwelling to a short-term let. Two of the three rooms are proposed to be utilised for short-term let use and one remaining room is proposed to be retained for permanent residential occupation. There are no external changes proposed.</p> <p>The key issues for consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of a change of use to short-term let at this location • Policy HOU3 - Protection of existing residential accommodation. • Policy HOU13 – Short-term Let Accommodation • Character, design and appearance • Traffic, Parking and Access <p>DFI Roads had been consulted as the statutory consultee and have raised no objections.</p> <p>There have been 5no. third-party objections received, 2no. letters from the applicant in response to objections received and 1no. letter of support from a local business. Specific details of the representations will be detailed in the body of the planning report.</p> | |

The proposal has been assessed against prevailing policy and fails to meet two key criteria (c) and (d) of Policy HOU 13 in that the proposal is not within a tourism cluster or within 1200km of a visitor attraction and, that the management arrangements are not sufficiently robust to mitigate the potential impacts of the proposal on the amenity of residents.

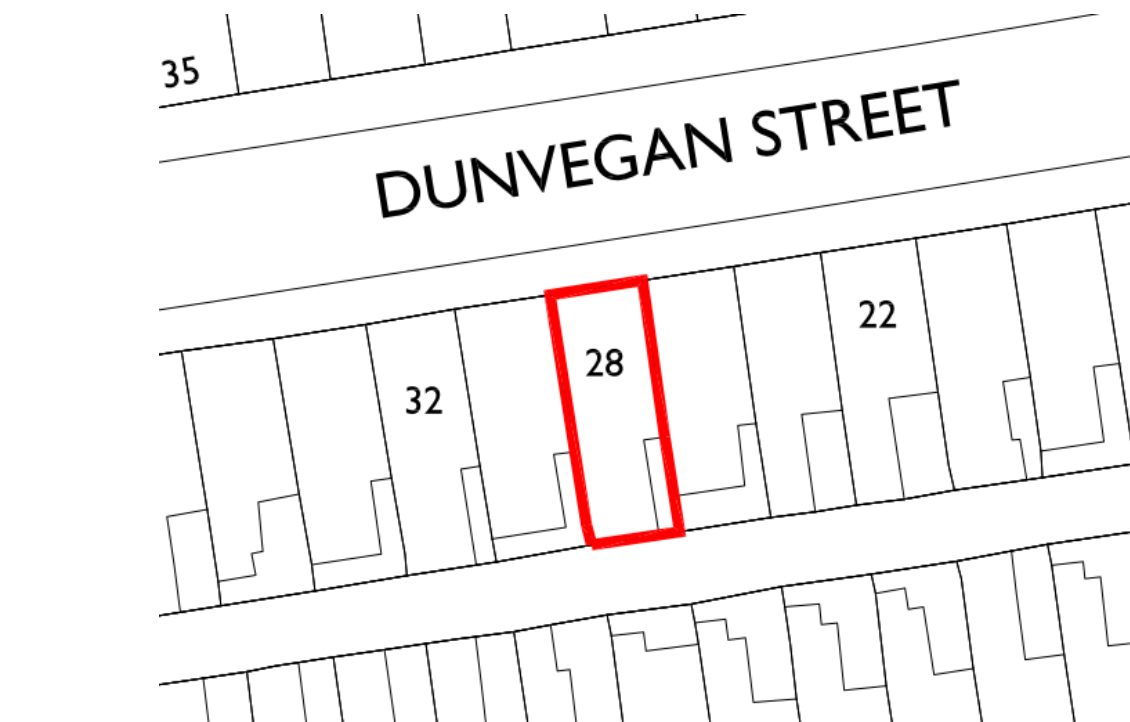
Having regard to the development plan and other material considerations, the proposal is considered unacceptable. It is recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and deal with any other issues that arise, provided that they are not substantive.

1.0 Drawings

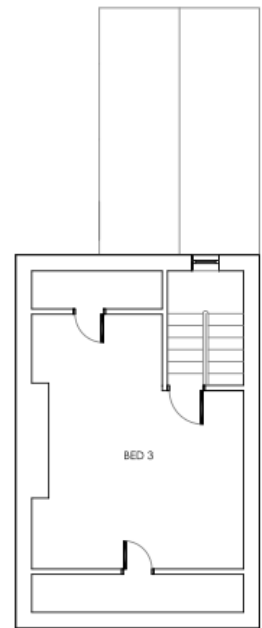
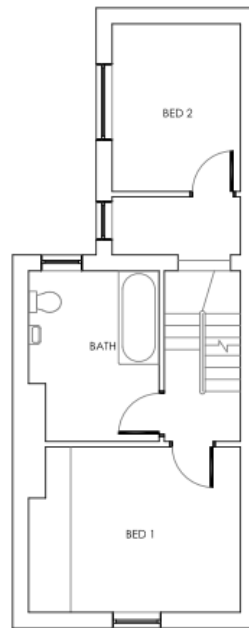
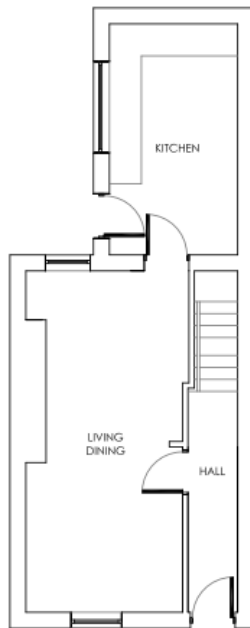
Site Location Plan



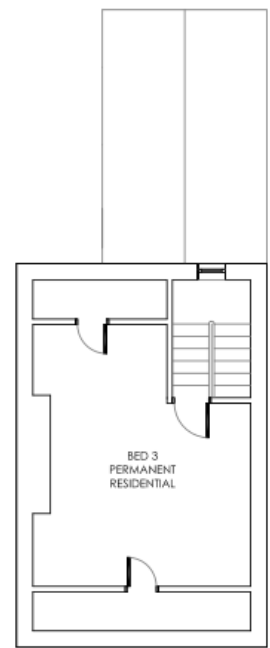
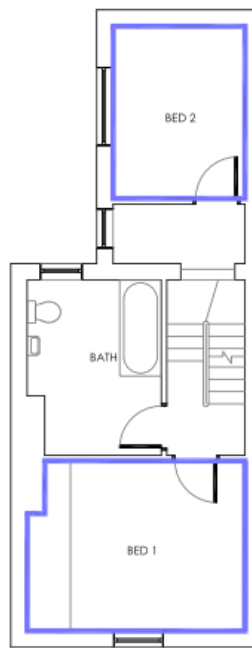
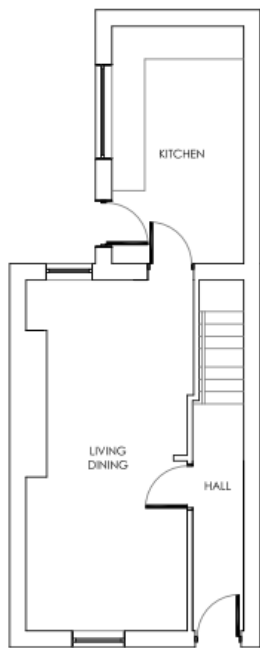
Proposed Site Plan



Existing Floor Plans



Proposed Floor Plans



2.0 Characteristics of the Site and Area

- 2.1 The application site is referred to as No.28 Dunvegan Street. The site is geographically located in East Belfast. The site is part of a two-storey residential terrace development containing a pitched roof profile. The finish of the house is red brick.

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| 2.2 | The site is an established residential area with similar house types and designs. The site is within the development limits as zoned in the draft Belfast Metropolitan Area Plan 2015 (dBMAP). The dBMAP zonings are currently still material until such time when the Local Policies Plan is formally adopted by Belfast City Council which will complement the now adopted Belfast Local Development Plan – Plan Strategy 2035 which was formally adopted on 2 nd May 2023. |
| 2.3 | The site lies within the draft Lagan Village Area of Townscape Character (ATC), which helps illustrate the similarities regarding design and character in the immediate area. The site is also within an Area of Parking Restraint (City Fringe) and is situated approximately 80m from the Ravenhill Road, which is designated as a main Arterial Route. |
| 3.0 | Planning Assessment of Policy and Other Material Considerations |
| 3.1 | <p>Site History</p> <p>Z/1988/1052 – Extension to dwelling – Permission Granted – 10/12/1988.</p> |
| 3.2 | <p>Policy Framework - Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> |
| 3.3 | <p><u>Operational Policies</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p> |
| 3.4 | <p><u>Proposals Maps</u></p> <p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to</p> |

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| | the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. |
| 3.5 | Belfast Urban Area Plan 2001 – The site is located within the settlement development limit and is not zoned for any use. |
| 3.6 | Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the settlement development limits of Belfast. |
| 3.7 | Belfast Metropolitan Area Plan 2015 (v2014) – the site is also located within the settlement development limits of Belfast. |
| 3.8 | Belfast Local Development Plan – Plan Strategy 2035 <ul style="list-style-type: none"> ▪ Policy HOU3 – Protection of existing residential accommodation. ▪ Policy HOU13 – Short-term let accommodation. ▪ Policy DES1 – Principles of urban design ▪ Policy TRAN 8 – Car parking and servicing arrangements |
| 3.9 | Strategic Planning Policy Statement for Northern Ireland (SPPS) |
| 3.10 | Statutory Consultations DFI Roads – No objections |
| 3.11 | Non-Statutory Consultations None |
| 3.12 | Internal Advice No internal consultees within Belfast City Council were deemed necessary for this proposal. |
| 3.13 | Representations The application has been advertised in the local press and the relevant neighbours have been notified. There have been 5no. objections to this proposal and 2no. letters from the applicant in support / response to the objections received to date. 1no. letter in support of this proposal has been submitted which details the positive impact the proposal has had on their business. The issues raised in the objections are summarised as follows: <ol style="list-style-type: none"> 1. Loss of residential property; 2. Suited for family home not short-term let; 3. Not enough demand for this use as hotels are only at 80% capacity; 4. Already in use – unauthorised; 5. Noise, disturbance and loss of amenity; 6. Sole purpose is to maximise profit; 7. Rental rate is driving up property prices discouraging long-term homeowners; 8. Fails to meet HOU3 and HOU13; 9. Inconsiderate parking causing issues; 10. No valuable engagement with neighbours / residents / community; and 11. Management plan submitted not reflective of lived experience. Points 6, and 7 are non-material to planning policy. The other points are material planning considerations and are addressed within the following assessment. |

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| 4.1 | Principle of Development |
| 4.1.1 | The proposal seeks retrospective planning permission for a change of use from a dwellinghouse (Use Class C1) to a short-term let (Sui Generis). The property is currently operating as a short-term let, albeit without planning permission which this application seeks to regularise. |
| 4.1.2 | Paragraph 7.1.19 of the Belfast Local Development Plan – Plan Strategy states that “short-term holiday accommodation falls outside of the residential use class”. Short-term let accommodation is commercial in nature and occupants change regularly, between 1-90 days. It is deemed an alternative form of tourist accommodation. |
| 4.1.2 | As the application site is distinguished as a dwellinghouse within an established residential area, key policy considerations are set out in HOU3 and HOU13 of the LDP. The final paragraph of Policy TLC3: Overnight visitor accommodation, stipulates that proposals for holiday self-catering apartments, serviced apartments or short-term holiday lets will be considered under the short-term let policy HOU13. TLC3 is therefore not relevant to this case. |
| 4.2 | Policy HOU3 – Protection of existing residential accommodation |
| 4.2.1 | On the 11 th June 2024, the High Court ruled in favour of Belfast City Council and quashed two Planning Appeals Commission (PAC) decisions on two applications in the city centre. Mr Justice Humphreys held that the PAC misinterpreted policy in allowing retrospective change of use for two flats to short-term let accommodation. The final judgement confirms that Policy HOU3 applies to any ‘ <i>established residential area</i> ’, including those which are in Belfast City Centre. In addition, the judgement clarifies the meaning of ‘ <i>property</i> ’ in the context of Policy HOU13. |
| 4.2.2 | <p>Policy HOU3 of the LDP – Protection of existing residential accommodation states that: “<i>There is a general presumption in favour of the retention residential stock for permanent occupation. Within an established residential area or fronting onto a city corridor outside of a designated centre, planning permission will be granted for the ...or change of use of existing dwellings for other uses where:</i></p> <ul style="list-style-type: none"> <i>a. It is considered complimentary to surrounding residential uses and will not result in any adverse effects on existing residential amenity; or</i> <i>b. The proposal is for community infrastructure considered necessary within the residential area.</i> |
| 4.2.3 | Policy HOU3 has a general presumption in favour of the retention of residential stock for permanent occupation within established residential areas. Appendix B provides the definition of an Established Residential Area as “residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens”. The definition goes on to state that “ <i>within Belfast City, established residential areas often display a clear spatial structure. Building forms, plot sizes and shapes are sometimes similar with a well-defined pattern of local development. Properties may exhibit comparable design styles including common architectural detailing and treatments, and areas of both public and private amenity space can share an identifiable character. The overall spatial structure is often delineated by a clear network of streets and roads</i> ”. |
| 4.2.4 | It is considered that the application site does fall within an established residential area, identified by a clear spatial structure with similar building forms, plot sizes and design styles. Policy HOU3 is therefore engaged and states that within Established Residential |

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| | <p>Areas planning permission will be granted for a change of use of existing dwellings for other uses where:</p> <ul style="list-style-type: none"> a. it is considered complementary to surrounding residential uses and will not result in any adverse effects on existing residential amenity; or b. The proposal is for community infrastructure considered necessary within the residential area. |
| 4.2.5 | Criterion (b.) does not apply given the proposal is not for community infrastructure. |
| 4.2.6 | <p>Paragraph 7.1.19 recognises that the focus of the policy is on ensuring a suitable supply of permanent residential accommodation for future residents of Belfast. There is a risk that the use of permanent homes or apartments to provide short-term let accommodation could erode the sustainable supply of housing stock in the city. However, in this instance the applicant has outlined on the plans and in a statement to the Council; that one of the three bedrooms within the dwelling would be retained as permanent residential housing. This element would help ensure that a source of permanent housing remains at this site and would correspond with criterion f. of HOU13. Retention of some permanent residential housing stock at this site would be complementary to the surrounding residential uses in this location. As the proposal was amended to include retention of a residential element, criterion (a.) of HOU3 is considered to be met.</p> |
| 4.3 | Policy HOU13 – Short-term Let Accommodation |
| 4.3.1 | <p>Policy HOU13 of the LDP – Short-term let accommodation states: <i>Planning permission will be granted for short-term let accommodation, whether new build or change of use, where the following criteria are met:</i></p> <ul style="list-style-type: none"> a. <i>It strengthens and diversifies the range of short-stay visitor accommodation in the city;</i> b. <i>It is accessible by public transport;</i> c. <i>It is sited within an existing tourism cluster or in close proximity to a visitor attraction;</i> d. <i>Has appropriate management arrangements in place to ensure a positive and safe living environment whilst minimising any potential negative impacts;</i> e. <i>The site is not located within a designated HMA (see policy HOU10), unless it can be demonstrated that the development is needed to meet a specific unsatisfied demand in that location; and</i> f. <i>In the case of a change from permanent residential use, part of the property must be retained as permanent residential housing.</i> |
| 4.3.2 | Policy HOU13 includes six criteria (a. – f.) which must be met for planning permission to be granted for a change of use to short-term let accommodation. Each criterion will be considered in turn: |
| 4.3.3 | To justify criterion (a.) of HOU13, the applicant has provided a ‘policy alignment statement’, which very briefly references that the proposal site would contribute towards Belfast’s tourism sector by offering high-quality accommodation that caters to business and leisure travellers and that guests are encouraged to engage with local businesses via curated guides. Officers are aware that as of June 2024, short-term let accommodation makes up 21% of Belfast City Council’s tourist accommodation bed spaces. It is deemed that the proposal complies with criterion a. of HOU13. |
| 4.3.4 | Criterion (b.) of HOU13 – The site is located approximately 80m from the Ravenhill Road which is designated as an Arterial Route which links the site to Belfast City Centre. The |

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| | <p>nearest bus stop both city and country bound is located at My Lady's Road, approximately 110m from the application site. The application site is in a highly accessible location for public transport, walking and cycling to Belfast City Centre. It is deemed that the proposal complies with criterion b. of HOU13.</p> |
| 4.3.5 | <p>Criterion (c.) of HOU13 – The applicant / agent has not provided a list of attractions they consider to be within “close proximity” to the application site. The LDP definition of acceptable walking distance to visitor attractions is 1.2km. Having completed a desk-based review of the potential key attractions within this distance, it is concluded that the site is not located within an existing “tourism cluster”, or “in close proximity” to a visitor attraction. The applicant had responded to the objections submitted to the Council on 8th January 2025, detailing in point (4.) of this response “proximity to tourist amenities”. Referring to Belfast City Centre as 15 – 20 minutes walking distance which provides access to attractions, shops, and cultural landmarks. After careful consideration, it is deemed that the proposal fails to meet criterion c. of HOU13.</p> |
| 4.3.6 | <p>Criterion (d.) of HOU13 – All proposals must demonstrate the ability to manage accommodation satisfactorily, the requirement for formal management plans will be judged on a case-by-case basis. There have been objections received from both residents of Dunvegan Street and by a local representative that have referred to lived experiences of the unauthorised short-term let. Objections refer to noise and disturbances, parties, lack of care / respect to residents / community and inconsiderate parking as key concerns. Dunvegan residents suggest a lack of meaningful engagement from the owner to resolve issues. The Dunvegan residents state that the management plan provided is long in content but does not reflect residents' experiences. The applicant had submitted a rebuttal letter to the Council dated 11th December 2024.</p> |
| 4.3.7 | <p>Officers note the provisional management plan put forward. Based on the information submitted and on balance, it is deemed that the proposed arrangements fail to demonstrate how they will minimise the risk of adverse effects on neighbouring residential properties. The proposal therefore fails to satisfactorily meet criterion (d.) of HOU13.</p> |
| 4.3.8 | <p>Criterion (e.) of HOU13 seeks to avoid short-term let accommodation within existing HMA's unless it can be demonstrated that it is needed to meet a specific unmet demand for tourist accommodation in a specific locality. The application site does not fall within a designated Housing Management Area (HMA) and therefore satisfies criterion e. of HOU13.</p> |
| 4.3.9 | <p>Criterion (f.) of HOU13 states: <i>“In the case of a change from permanent residential use, part of the property must be retained as permanent residential housing”.</i> The established use is a single residential dwellinghouse which is therefore permanent residential housing. This criterion requires that part of the existing property is retained as permanent residential housing. For the purposes of this policy the unit of occupation should be considered as the individual planning unit such as the house or apartment unless a smaller planning unit can be distinguished both functionally and physically. As the application has proposed to retain one bedroom as permanent residential housing, it satisfies criterion f. of HOU13.</p> |
| 4.4 | <p>Character, Design and Appearance</p> |
| 4.4.1 | <p>This proposal seeks to regularise the change of use of a single residential dwellinghouse to a short-term let accommodation.</p> |

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| 4.4.2 | The character of the area is residential. The house types in the area are similar regarding layout, design, and form. The house types are residential row terraces with a pitch roof profile and constructed of red brick. The area falls within the draft Lagan Village Area of Townscape Character (ATC). |
| 4.4.3 | As the proposal involves no extensions or external alterations, there are no concerns from a design and appearance perspective. This element is therefore compliant with DES1 of the LDP. |
| 4.5 | Traffic, Parking and Access |
| 4.5.1 | DFI Roads have been consulted in relation to parking and road safety. DFI Roads have formally responded with no objection. This element is deemed acceptable and complies with Policy TRAN 8 of the LDP. |
| 5.0 | Conclusion and Recommendation: Having regard to the development plan and other material considerations, the proposal is considered unacceptable. It is recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and deal with any other issues that arise, provided that they are not substantive. |
| 6.0 | Refusal Reasons: <ol style="list-style-type: none"> 1. The proposal is contrary to Policy HOU13 – Short-term let accommodation of the Belfast Local Development Plan 2035 in that the proposal fails to satisfy criterion (c) in that it is not sited within an existing tourism cluster or in close proximity to a visitor attraction. 2. The proposal is contrary to Policy HOU13 – Short-term let accommodation of the Belfast Local Development Plan 2035 in that the proposal fails to satisfy criterion (d) in that appropriate management arrangements have not been demonstrated to ensure a positive and safe living environment. |